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TITLE 7—AGRICULTURE

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 812]

PART 812—SUGAR REQUIREMENTS AND QUOTAS; HAWAII AND PUERTO RICO

CALENDAR YEAR 1955

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922; 65 Stat. 318; 7 U. S. C. 1100) and the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1001) these regulations are hereby made, prescribed, and published to be in force and effect for the calendar year 1955 or until amended or superseded by regulations hereafter made during the calendar year 1955.

Basis and purpose. The determinations and the sugar quotas set forth below have been made and established pursuant to section 203 of the Sugar Act of 1948, as amended (hereinafter called the "act") The act provides for the Secretary of Agriculture to make such determinations and establish such quotas for the calendar year 1955 during December 1954. The determinations of the sugar requirements have been based, insofar as required by section 201 of the act, on official statistics of the Department of Agriculture and statistics published by other agencies of the Federal Government. The purpose of such determinations is to provide the amounts of sugar needed to meet the requirements of consumers in the Territory of Hawaii and in Puerto Rico for the calendar year 1955. The determinations provide the basis for the establishment of sugar quotas for such year for local consumption therein pursuant to section 203 of the act.

Prior to the issuance of these regulations, notice was given (19 F. R. 6677) that the Secretary of Agriculture was preparing, among other things, to determine the requirements and quotas for the calendar year 1955 for local consumption in Hawaii and in Puerto Rico and that any interested person might present any data, views or arguments with respect thereto in writing not later than November 29, 1954. Due consideration has been given to the data, views and arguments submitted, in accordance with the Administrative Procedure Act (60 Stat. 237).

Since the act provides that the Secretary of Agriculture determine sugar requirements and establish quotas for local consumption in Hawaii and in Puerto Rico during December 1954, to be applicable for the calendar year 1955, it is impracticable and not in the public interest to comply with the 30-day effective date requirements of the Administrative Procedure Act. Accordingly, these regulations shall be effective January 1, 1955.

§ 812.13 *Sugar requirements and quotas*—(a) *Sugar requirements.* It is hereby determined, pursuant to section 203 of the act, that the amount of sugar needed to meet the requirements of consumers in the Territory of Hawaii for the calendar year 1955 is 40,000 short tons of sugar, raw value, and that the amount of sugar needed to meet the requirements of consumers in Puerto Rico for the calendar year 1955 is 100,000 short tons, raw value.

(b) *Local consumption quotas.* There are hereby established, pursuant to section 203 of the act, for local consumption in the Territory of Hawaii and in Puerto Rico, for the calendar year 1955 the following quotas.

Area:	*Quotas in terms of short tons, raw value*
Hawaii	40,000
Puerto Rico	100,000

§ 812.14 *Restrictions on marketing.* For the calendar year 1955 all persons are hereby forbidden, pursuant to section 209 of the act, from marketing in the Territory of Hawaii or in Puerto Rico, for consumption therein, any sugar or liquid sugar after the quota for the area for the calendar year 1955 has been filled.

Statement of bases and considerations. Pursuant to section 203 of the act, it has been determined that those provisions of section 201 of the act which shall apply to the determination of the amounts of sugar needed to meet the requirements of consumers in Hawaii and in Puerto Rico relate to (1) the quantities of sugar distributed for local consumption in Hawaii and in Puerto Rico during the twelve-month period ended October 31, 1954, (2) deficiencies or surpluses in inventories of sugar and

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FEDERAL REGISTER

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(3) changes in consumption because of changes in population and demand conditions.

The quantities of sugar distributed for consumption in Hawaii and Puerto Rico, including that which was lost in refining after charge to the local quotas, during such twelve-month period were approximately 38,000 short tons of sugar, raw value, and 100,000 short tons of sugar, raw value, respectively.

No official estimate of population for either of these areas for 1955 is available. The estimate of the civilian population of Hawaii for 1954 was about 2 percent greater than for 1953, and for Puerto Rico about 1 percent greater than for 1953.

In Hawaii changes in distribution of sugar for local consumption in recent years appears to have been dominated by changes in industrial use of sugar. For the twelve months ended October 31, 1953, distribution amounted to about 42,000 tons, and for the calendar year 1953 about 43,000. However, the average for the six years ended October 31, 1954, is only about 39,000 tons. In view of the most recent and average rates of distribution, it appears that new quota supplies of 40,000 short tons, raw value, will be adequate for local consumption in Hawaii in 1955.

In Puerto Rico the 100,000 tons distributed in the twelve-month period ended October 31, 1954, is 4,000 tons more than was distributed in the preceding twelve months. However, distribution during five twelve-month periods preceding October 31, 1952, averaged 101,000 tons. On October 31 processors and refiners held 38,289 short tons, raw value, of refined and turbinado sugar in inventory. Of this quantity 26,464 tons was within 1954 allotments compared to about 18,000 tons needed to sustain distribution to the end of the year at the rate for the preceding twelve months. The refiners do not operate in the first few weeks of the calendar year (three of the seven participating in the local market did not begin producing until the last week of February in either 1953 or 1954) Refined sugar in inventory on January 1, 1955, in excess of 1954 quotas may be used to fill 1955 allotments of either the local quota or the direct-consumption portion of the mainland quota. Local quota sugar transferred to a refiner in 1954 and carried into 1955 is available for local consumption without charge to 1955 allotments. This is the first year in which a significant quantity of over-quota sugar was held in refined form and it appears desirable to provide a local quota supply which will permit refiners (or their customers) to carry sufficient quota refined sugar into the new year to maintain an adequate supply for consumers until processing of new-crop sugar is fully under way. It, therefore, appears that inventories charged to the 1954 quota will not be excessive on January 1, 1955, and that a quota of 100,000 short tons, raw value, for local consumption in Puerto Rico in 1955 will provide a supply of sugar that will be consumed at fair prices.

In accordance with the above, the quotas for local consumption in Hawaii and Puerto Rico for 1955 have been established at 40,000 and 100,000 short tons, raw value, respectively.

(Sec. 403, 61 Stat. 932, 7 U. S. C. 1153. Interpret or apply secs. 201, 203, 209, 210; 61 Stat. 923, 925, 928; 7 U. S. C. 1111, 1113, 1119, 1120)

Done at Washington, D. C., this 21st day of December 1954. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-10228; Filed, Dec. 23, 1954; 8:52 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 40]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.340 *Navel Orange Regulation 40*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914; 19 F. R. 2941), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on December 22, 1954, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order* (1) The quantity of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., December 26, 1954, and ending at 12:01 a. m., P. s. t., January 2, 1955, is hereby fixed as follows:

(i) District 1: 207,900 boxes;
(ii) District 2: 24,127 boxes;
(iii) District 3: 4,620 boxes;
(iv) District 4: Unlimited movement.

(2) Navel oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges and which are effective during the period specified herein.

(3) As used in this section, "handled," "boxes," "District 1," "District 2," "District 3," and "District 4" shall have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: December 23, 1954.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 54-10230; Filed, Dec. 23, 1954; 11:32 a. m.]

[Tangerine Reg. 154]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.712 *Tangerine Regulation 154*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than December 27, 1954. Shipments of tangerines, grown in the State

of Florida, are currently prohibited, pursuant to the amended marketing agreement and order, and will so continue until December 27, 1954; the recommendation and supporting information for the resumption of the regulation of shipments by grades and sizes subsequent to December 26, 1954, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on December 21, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the resumption of regulation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time hereof.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., December 27, 1954, and ending at 12:01 a. m., e. s. t., January 10, 1955, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 2;

(ii) Any tangerines, grown in the State of Florida, which grade U. S. No. 2, that are of a size smaller than the size that will pack 176 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches, capacity 1,726 cubic inches) or

(iii) Any tangerines, grown in the State of Florida, which grade U. S. No. 1 Russet, U. S. No. 1 Bronze, U. S. No. 1 or U. S. Fancy, that are of a size smaller than 2$^{7}/_{16}$ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of tangerines, smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title)

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 2," "U. S. No. 1 Russet," "U. S. No. 1 Bronze," "U. S. No. 1," "U. S. Fancy," and "standard pack" shall have the same meaning as when used in the revised United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: December 22, 1954.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 54-10253; Filed, Dec. 23, 1954; 8:54 a. m.]

[Orange Reg. 269]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.713 *Orange Regulation 269*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than December 27, 1954. Shipments of all oranges, including Temple oranges, grown in the State of Florida, are currently prohibited, pursuant to the amended marketing agreement and order, and will so continue until December 27, 1954; the recommendation and supporting information for the resumption of the regulation of shipments by grades and sizes subsequent to December 26, 1954, and in the manner herein provided, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on December 21, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the resumption of regulation of the handling of all oranges; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order* (1) During the period beginning at 12:01 a. m., e. s. t., December 27, 1954, and ending at 12:01 a. m., e. s. t., January 10, 1955, no handler shall ship:

(i) Any oranges, including Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet; or

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than 2$^{10}/_{16}$ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Oranges (§§ 51.1140 to 51.1186 of this title) *Provided,* That in determining the percentage of oranges in any lot which are smaller than 2$^{10}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 2$^{14}/_{16}$ inches in diameter and smaller.

(2) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the term "U. S. No. 1 Russet" shall have the same meaning as when used in the revised United States Standards for Florida Oranges (§§ 51.1140 to 51.1186 of this title)

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: December 22, 1954.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 54-10252, Filed Dec. 23, 1954, 8:54 a. m.]

[Grapefruit Reg. 214]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.714 *Grapefruit Regulation 214*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural

Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than December 27, 1954. Shipments of grapefruit, grown in the State of Florida, are currently prohibited, pursuant to the amended marketing agreement and order, and will so continue until December 27, 1954; the recommendation and supporting information for the resumption of the regulation of shipments by grades and sizes subsequent to December 26, 1954, was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on December 21; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the resumption of regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., December 27, 1954, and ending at 12:01 a. m., e. s. t., January 10, 1955, no handler shall ship:

(i) Any white seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iii) Any seedless grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iv) Any white seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vi) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than $3\frac{11}{16}$ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title)

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "U. S. No. 2," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: December 22, 1954.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 54-10251; Filed, Dec. 23, 1954; 8:54 a. m.]

[Lemon Reg. 569]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATIONS OF SHIPMENTS

§ 953.676 *Lemon Regulation 569*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 19 F. R. 7175), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on December 21, 1954, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., December 26, 1954, and ending at 12:01 a. m., P. s. t., January 2, 1955, is hereby fixed as follows:

(i) District 1. 30 carloads;

(ii) District 2: 200 carloads;

(iii) District 3: 10 carloads.

(2) As used in this section, "handled," "carloads," "District 1," "District 2," and "District 3" shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: December 22, 1954.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 54-10268; Filed, Dec. 23, 1954; 8:55 a. m.]

[970.301 Amdt. 2]

PART 970—IRISH POTATOES GROWN IN MAINE

LIMITATION OF SHIPMENTS

Findings. a. Pursuant to Marketing Agreement No. 122 and Order No. 70 (7

CFR Part 970; 19 F R. 5469) regulating the handling of Irish potatoes grown in the State of Maine, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Maine Potato Marketing Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

b. It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (1) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this amendment, (3) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date, and (4) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

Order as amended. The provisions of § 970.301 (b) (FEDERAL REGISTER of December 15, 1954, 19 F R. 7284, 8556) are hereby amended as follows:

1. Subparagraph (8) of § 970.301 (b) is renumbered as subparagraph (9) and

2. A new subparagraph (8) is added to § 970.301 (b) to read:

(8) No handler shall ship any potatoes for which inspection is required by this paragraph unless an appropriate inspection certificate had been issued with respect thereto and the certificate is valid at the time of shipment. For purposes of operation under this part, each inspection certificate is hereby determined, pursuant to paragraph (c) of § 970.65, to be valid for a period not to exceed 48 hours following completion of inspection as shown in the certificate.

(Sec. 5, 49 Stat. 753, as amended, 7 U. S. C. 608c)

Done at Washington, D. C., this 21st day of December 1954 to be effective December 27, 1954.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 54-10226; Filed, Dec. 23, 1954; 8:51 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

Subchapter F—Banks for Cooperatives

[FCA Order 615]

PART 72—CENTRAL BANK FOR COOPERATIVES DEBENTURES

CUSTODIAN AND ACTING CUSTODIAN

In order to recognize a reorganization of the Finance Subdivision of the Farm Credit Administration and certain changes of duties and titles therein, and to supersede a notice heretofore published (14 F. R. 5948) concerning the appointment of a Custodian and an Acting Custodian of collateral for debentures issued by the Central Bank for Cooperatives individually, § 72.2 of Title 6 of the Code of Federal Regulations is amended, effective December 20, 1954, to read as follows:

§ 72.2 *Custodian and Acting Custodian.* The Chief, Collateral Section, Farm Credit Administration, shall serve, ex officio, as Custodian of collateral for debentures issued by the Central Bank for Cooperatives individually. The Chief, Securities Section, Farm Credit Administration, shall serve, ex officio, as Acting Custodian of collateral for debentures issued by the Central Bank for Cooperatives individually, in the event the said Custodian is unable to serve for any reason. The operating titles when so serving shall be Custodian and Acting Custodian, respectively.

(Sec. 37, 48 Stat. 263; 12 U. S. C. 1134m)

[SEAL] R. B. TOOTELL,
Governor
Farm Credit Administration.

[F. R. Doc. 54-10193; Filed, Dec. 23, 1954; 8:45 a. m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases and Other Operations

[1954 C. C. C. Grain Price Support Bulletin 1, Supplement 1, Amdt. 5, Grain Sorghums]

PART 421—GRAIN AND RELATED COMMODITIES

SUBPART—1954—CROP GRAIN SORGHUMS LOAN AND PURCHASE AGREEMENT PROGRAM

BASIC COUNTY SUPPORT RATES; ILLINOIS

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 19 F R. 2117, 2203, 2561, 3467, 4555, and 7536 and containing the specific requirements for the 1954-Crop Grain Sorghums Price Support Program are hereby amended as follows:

Section 421.533 (c) (1) is amended by adding the following to the list of basic county support rates:

County	ILLINOIS	*Rate per hundredweight*
All counties		$2.27

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. 714; 7 U. S. C. 1447, 1421)

Issued this 21st day of December 1954.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President, Commodity Credit Corporation.

[F. R. Doc. 54-10227; Filed, Dec. 23, 1954; 8:51 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 204—PETITION FOR IMMIGRANT STATUS AS A MINISTER OR AS A PERSON WHOSE SERVICES ARE NEEDED URGENTLY

Part 204 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
204.1 Definition.
204.2 Petition.

Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

AUTHORITY: §§ 204.1 and 204.2 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 101, 203, 204, 66 Stat. 166, 178, 179; 8 U. S. C. 1101, 1153, 1154.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 204.1 *Definition.* As used in section 101 (a) (27) (F) of the act and this part, the term "minister of a religious denomination" means a person duly authorized by a recognized religious sect or denomination to conduct religious worship, and to perform other duties usually performed by a regularly ordained pastor or clergyman. Lay preachers not authorized to perform the duties usually performed by a regularly ordained pastor or clergyman, and cantors, or nuns, do not come within this definition.

§ 204.2 *Petition.* The petition required by section 204 (b) of the act shall be filed by the person, institution, firm, organization, or governmental agency for whom the work, labor, or services are to be performed on Form I-129A for nonquota classification under section 101 (a) (27) (F) (i) of the act as a minister of a religious denomination and on Form I-129 for quota classification under section 203 (a) (1) (A) of the act as an alien whose services are needed urgently in the United States. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS [RESERVED]

PART 205—PETITION FOR IMMIGRANT STATUS AS RELATIVE OF UNITED STATES CITIZEN OR LAWFUL RESIDENT ALIEN

Part 205 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
205.1 Petition.

Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

SUBPART A—SUBSTANTIVE PROVISIONS

§ 205.1 *Petition.* A petition by a United States citizen under section 205 (b) of the act shall be filed on Form I–133. A petition by an alien under section 205 (b) of the act shall be filed on Form I–133A. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal to the Board within 10 days from the receipt of such notification in accordance with Part 6 of this chapter.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS [RESERVED]

(Sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply sec. 205, 66 Stat. 180; 8 U. S. C. 1155)

PART 206—REVOCATION OF APPROVAL OF PETITIONS

The last sentence of § 206.21 *Revocation on notice; procedure* is amended to read as follows: "If upon reconsideration, the approval previously granted is revoked, the petitioner shall be informed of the decision with the reasons therefor and shall have ten days from the receipt of notification of the decision within which to appeal to the Board as provided in Part 6 of this chapter if the petition initially was approved for classification under section 205 of the act, or to the regional commissioner as provided in Part 7 of this chapter if the petition initially was approved for classification under section 204 or 214 (c) of the act."

PART 211—DOCUMENTARY REQUIREMENTS: IMMIGRANTS; WAIVERS

1. The introductory material of paragraph (c) of § 211.2 and subparagraph (6) of that paragraph are amended so that when taken with the introductory material of § 211.2 they will read as follows:

§ 211.2 *Immigrants not required to present visas or passports.* Immigrants of the following-described classes applying for admission to the United States need not present visas or passports:

* * * * *

(c) Aliens (including alien crewmen) of the following-described classes who have been lawfully admitted for permanent residence and who are returning after a temporary absence:

* * * * *

(6) An alien who is returning to the United States from a visit not exceeding 30 days to Canada, Mexico, Cuba, Haiti, Bermuda, or the Dominican Republic.

2. Paragraph (c) of § 211.2 is further amended by deleting subparagraphs (10) and (16)

3. Section 211.3 is amended to read as follows:

§ 211.3 *Authority to grant individual waivers.* Any alien (including an alien crewman) who has been lawfully admitted to the United States for permanent residence and who is applying for admission to the United States after a temporary absence may be granted a visa and passport waiver or a visa waiver, and any alien (including an alien crewman) who applies for admission to the United States as an immigrant may be granted a passport waiver by (a) the regional commissioner either at the time of or after the alien's application for admission to the United States, or (b) the district director or officer in charge having administrative jurisdiction over the port at which the alien applied for admission at the time of the alien's application for admission and prior to the submission of the case to a special inquiry officer, or (c) the special inquiry officer in determining the case referred to him for further inquiry as provided in section 235 of the Act, upon a determination by the respective officers enumerated above that presentation of a visa, or passport, or both, is impracticable because of emergent circumstances over which the alien has no control and that undue hardship would result to such alien if such presentation is required: *Provided,* That during the time any case is pending before the Board a waiver under this section may be granted only by the Board.

4. The introductory material of § 211.4 is amended to read as follows:

§ 211.4 *Immigrants not required to present passports.* Aliens of the following-described classes (including alien crewmen) who apply for admission to the United States as immigrants are not required to present passports:

* * * * *

5. Paragraph (f) of § 211.4 is revoked.

6. Paragraph (a) of § 211.11 is amended to read as follows:

§ 211.11 *Resident Alien's Border-Crossing Identification Card—*(a) *Form.* For the purposes of sections 211 (b) and 212 (a) (20) of the act and this part, Form I–151 (Alien-Registration Receipt Card) shall be accepted as a Resident Alien Border-Crossing Identification Card when in possession of and presented by the rightful holder thereof during the period of its validity.

7. Paragraph (d) of § 211.11 is revoked.

PART 212—DOCUMENTARY REQUIREMENTS FOR NONIMMIGRANTS: ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

1. Section 212.6 is amended to read as follows:

§ 212.6 *Aliens previously deported or removed, or who departed at Government expense; consent to reapply for admission.* (a) Except as provided in § 236.13 (b) of this chapter and paragraph (b) of this section, an alien who is inadmissible to the United States under paragraph (16) or (17) of section 212 (a) of the act and who desires to apply for admission to the United States shall file an application for consent to reapply for admission to the United States on Form I–212 with the district director having administrative jurisdiction over the office in which were held the proceedings which resulted in the alien's deportation, removal or departure at Government expense.

(b) Except as otherwise provided in paragraph (a) of this section, an alien who is inadmissible to the United States under paragraph (16) or (17) of section 212 (a) of the act and who desires to enter the United States frequently across an international land border to purchase the necessities of life, or in connection with the business in which he is engaged, or for some other urgent reason, may file his application for consent to reapply for admission to the United States with the district director having administrative jurisdiction over the nearest port of entry adjacent to the alien's foreign residence.

(c) The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

2. Paragraphs (d) and (e) of § 212.11 are amended to read as follows:

§ 212.11 *Nonresident alien's border-crossing identification card.* * * *

(d) *Application.* Application for a nonresident alien's border-crossing identification card shall be made on Form I–190 at any office of the Service located at any land or water port of entry or international airport in the continental United States or Alaska or at any office of the Service located in Canada.

(e) *Disposition of application.* A nonresident alien's border-crossing identification card shall be valid for an initial period of two years, unless in the discretion of the immigration officer a shorter period of validity is warranted because of special circumstances. The immigration officer may, in his discretion or upon direction of his superior officer, issue the card subject to such conditions as appear to be proper under the circumstances and such conditions shall be noted on the card and on the application. No appeal shall lie from a denial of the application but such denial shall be without prejudice to the alien's applying for admission to the United States under applicable provisions of the Immigration and Nationality Act.

3. Section 212.61 *Application for consent to reapply* is revoked.

4. Section 212.71 is amended to read as follows:

§ 212.71 *Application for permission to reenter the United States prior to application for readmission at a port of entry.* An application for the exercise of discretion under the provisions of section 212 (c) of the act shall be submitted on Form I–191 to the district director having administrative jurisdiction over the applicant's place of residence in the United

States if the application is made prior to the alien's application for readmission to the United States at a port of entry. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor and of his right to appeal to the Board within 10 days from the receipt of such notification in accordance with Part 6 of this chapter.

5. Section 212.72 *Disposition of application* is revoked.

6. Section 212.73 is amended to read as follows:

§ 212.73 *Application for permission to reenter the United States; at time of application for readmission at a port of entry.* An application for the exercise of discretion under the provisions of section 212 (c) of the act made at the time of applying for readmission to the United States at a port of entry shall be made orally or in writing to the immigration officer conducting the examination of the alien, if the case has not been referred to a special inquiry officer for further inquiry, who shall refer it for decision to the district director having administrative jurisdiction over the place where the examination is being conducted. If the case has been referred to a special inquiry officer, the application shall be made during the proceedings before the special inquiry officer in accordance with the provisions of section 235 (b) of the act. If the application is denied by the district director, he shall return the case to the examining immigration officer for further proceedings in accordance with sections 235 and 236 of the act. No appeal shall lie from the decision of the district director but if adverse to the alien it shall be without prejudice to the renewal of the application before the special inquiry officer to whom the case is referred for further proceedings in accordance with sections 235 and 236 of the act. The special inquiry officer, in his discretion, may, in his decision provided for in Part 236 of this chapter, grant or deny any such application which is submitted to him. In any case in which an appeal may not be taken from a decision of a special inquiry officer excluding an alien but in which the alien has applied for the exercise of discretion under the provisions of section 212 (c) of the act, the alien may appeal to the Board from a denial of such application in accordance with the provisions of § 236.15 of this chapter.

7. Sections 212.81 and 212.82 are amended to read as follows:

§ 212.81 *Application for permission to enter the United States temporarily; prior to application for admission at a port of entry.* An application for the exercise of the discretion under the provisions of section 212 (d) (3) of the act shall be submitted on Form I–192 to the Assistant Commissioner, Examinations Division, if the application is made prior to the alien's application for admission to the United States at a port of entry only in those cases where such applications have been recommended by the Secretary of State or by a consular officer. In all other cases where application is made prior to the alien's application for admission and the alien is in possession of appropriate documents or has been granted a waiver thereof, the application shall be submitted to the district director having jurisdiction over the intended port of entry. If Form I–192 is not readily available and the case is one of unforeseen emergency, the application shall be in writing and shall contain all the information required by such form. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor and of his right to appeal to the Board within 10 days from the receipt of such notification in accordance with Part 6 of this chapter.

§ 212.82 *Application for permission to enter the United States temporarily; at time of application for admission at a port of entry.* An alien applying at a port of entry for temporary admission to the United States as a nonimmigrant may apply orally or in writing for the exercise of discretion under the provisions of section 212 (d) (3) of the act provided he was not aware of the ground of inadmissibility prior to his departure for the United States and such ground of inadmissibility could not have been ascertained by the exercise of reasonable diligence, and the alien is in possession of appropriate documents or has been granted a waiver thereof. If the ground of inadmissibility is not within paragraph (9) (10) (23) or (28) of section 212 (a) of the act and the case has not been referred to a special inquiry officer for further inquiry, the application shall be made to the immigration officer conducting the examination of the alien who shall refer it for decision to the district director having administrative jurisdiction over the place where the examination is being conducted. If the case has been referred to a special inquiry officer, the application shall be made during the proceedings before the special inquiry officer in accordance with the provisions of section 235 (b) of the act. If the application is denied by the district director, he shall return the case to the examining immigration officer for further proceedings in accordance with sections 235 and 236 of the act. No appeal shall lie from the decision of the district director but if adverse to the alien it shall be without prejudice to the renewal of the application before the special inquiry officer to whom the case is referred for further proceedings in accordance with sections 235 and 236 of the act. The special inquiry officer, in his discretion, may, in his decision provided for in part 236 of this chapter, grant or deny any such application which is submitted to him. In any case in which an appeal may not be taken from a decision of a special inquiry officer excluding an alien but in which the alien has applied for the exercise of discretion under the provisions of section 212 (d) (3) of the act, the alien may appeal to the Board from a denial of such application in accordance with the provisions of § 236.15 of this chapter.

8. Section 212.91 *Return of paroled alien* is revoked.

PART 212a—ADMISSION OF CERTAIN ALIENS TO PERFORM SKILLED OR UNSKILLED LABOR

Part 212a is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
212a.1 Aliens seeking to enter the United States for the purpose of performing skilled or unskilled labor; application.

Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

SUBPART A—SUBSTANTIVE PROVISIONS

§ 212a.1 *Aliens seeking to enter the United States for the purpose of performing skilled or unskilled labor; application.* An alien of any of the classes described in section 101 (a) (27) (C), (D) or (E) of the act, and any alien described in the nonpreference category of section 203 (a) (4) of that act, who is ineligible to receive an immigrant visa and is subject to exclusion from the United States under section 212 (a) (14) of that act may apply, or the person, institution, firm, organization or governmental agency for whom the alien will perform skilled or unskilled labor may apply on Form I–129C for permission for such alien to enter the United States under the authority contained in section 212 (a) (14) of the act notwithstanding such ground of inadmissibility. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS [RESERVED]

(Sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret and apply secs. 101, 203, 212, 66 Stat. 166, 178, 183; 8 U. S. C. 1101, 1153, 1182)

PART 214—ADMISSION OF NONIMMIGRANTS: GENERAL

1. Section 214.4 is amended to read as follows:

§ 214.4 *Extension of period of temporary admission.* An alien other than one admitted in transit under section 101 (a) (15) (C) of the Immigration and Nationality Act or section 3 (3) of the Immigration Act of 1924, who is maintaining the nonimmigrant status under which he is permitted to remain in the United States and whose period of admission has not expired, may apply on Form I–539 for and may be granted an extension or extensions of the period of his temporary admission, subject to the following limitations and conditions:

(a) All extensions shall be subject to the time limitations specified in § 214.1.

(b) The alien shall establish that he has fulfilled, and agrees that he will continue to fulfill, all the conditions set forth in § 214.2 and such other conditions as may be imposed as conditions precedent to the granting of the extension, including, in the case of an alien admitted as a nonimmigrant or as a nonquota immigrant student prior to December 24, 1952, the condition that he shall present with his application for the

extension a passport or other travel document valid for his readmission to the country whence he came or to some other country for six months after expiration of the period for which the extension is requested.

(c) In any case in which the grant of the extension would authorize the alien to remain in the United States for a period not exceeding one year after arrival, the officer deciding the application may, in his discretion, require as a condition precedent to the granting of the extension that the alien furnish bond or continue to furnish bond or to furnish bond in different sum on the form and for the purposes stated in § 214.3.

(d) No extension which will authorize the alien to remain in the United States for a period exceeding one year after arrival shall be granted unless there has been furnished, or is furnished, a bond on the form, for the purposes, and in the sum provided in § 214.3: *Provided,* That a district director may authorize the granting of such extension without bond or with bond in less sum.

(e) Such other conditions and limitations as are prescribed by provisions of this chapter relating to particular classes of nonimmigrants.

(f) A nonimmigrant alien crewman shall not be granted any extension which would permit him to remain in the United States for more than 29 days from the date of his initial temporary landing.

(g) No appeal shall lie from the decision of the officer denying the application.

2. Sections 214.31 *Bonds; referral of case by examining officer* and 214.41 *Extension of period of admission* are revoked.

PART 214a—ADMISSION OF NONIMMIGRANTS: FOREIGN GOVERNMENT OFFICIAL

1. The first sentence of § 214a.1 *Acceptance of classification* is amended by deleting the words "Assistant Commissioner, Inspections and Examinations Division," and inserting in lieu thereof the words "regional commissioner"

2. Section 214a.5 *Additional documents required in support of application for an extension of temporary stay* is revoked.

PART 214e—ADMISSION OF NONIMMIGRANTS: TREATY TRADER

1. Section 214e.5 *Additional documents required in support of application for an extension of temporary admission* is revoked.

2. Section 214e.6 is amended to read as follows:

§ 214e.6 *Trader and dependents admitted under Immigration Act of 1924.* A trader or dependent admitted to the United States under the Immigration Act of 1924 without limitation of time shall make a report annually on the anniversary date of his original admission to the United States on Form I–126 to the district director or officer in charge having administrative jurisdiction over the place where the alien resides in the United States indicating whether he continues to be eligible for readmission to the country whence he came or for admission to some other country, and has fulfilled and will continue to fulfill all the conditions prescribed by § 214.2 of this chapter. No appeal shall lie from such officer's decision that the alien is not maintaining his status.

3. Section 214e.61 *Maintenance of status report* is revoked.

PART 214f—ADMISSION OF NONIMMIGRANTS: STUDENTS

1. Section 214f.5 is amended to read as follows:

§ 214f.5 *Petition for approval.* Any institution of learning or other recognized place of study desiring the approval required by section 101 (a) (15) (F) of the act may file with the district director having administrative jurisdiction over the place in which the institution or place of study is located a petition for such approval on Form I–17 executed by the principal officer of such institution or place of study authorized to execute contracts. The district director, after consultation with the Office of Education of the United States, may approve the petition if he is satisfied that the petitioning institution or place of study is a bona fide institution of learning or recognized place of study, possesses the necessary facilities and is otherwise qualified for the instruction of students in recognized courses, and, if it is engaged in the field of education below college level, qualifies graduates for acceptance to accredited schools of a higher educational level; or, if it is engaged in the field of higher education, confers upon its graduates recognized bachelor, master, doctor, professional, or divinity degrees, or does not confer such degrees but its credits are recognized by and transferable to an institution or place of study which does confer such degrees; or is an American institute of research recognized by the Attorney General; or, if it is a vocational or business school or an American institute of research recognized as such by the Attorney General, its courses of study are generally accepted as fulfilling the requirements for the attainment of an educational, professional, or vocational objective and are not avocational or recreational in character. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

2. Section 214f.51 *Disposition of petition* is revoked.

3. Section 214f.71 is amended to read as follows:

§ 214f.71 *Withdrawal of approval; procedure.* Whenever a district director having administrative jurisdiction over the place in which an approved institution of learning or place of study is located has reason to believe that such institution or place of study has failed, neglected, or refused to comply with all the terms of its agreement and with the provisions of § 214f.5 or § 214f.6, whichever is applicable, and section 101 (a) (15) (F) of the act, he shall cause a notice to be sent to such institution or place of study that it is proposed within 30 days of the delivery of the notice to enter a decision withdrawing the approval previously granted for reasons set forth in the notice. Within such 30-day period the institution or place of study may submit to the district director written representations, under oath and supported by documentary evidence, setting forth reasons why the approval should not be withdrawn. The period within which such representations may be submitted may be extended in the discretion of the district director upon timely request for such extension. After consideration of the facts presented, the district director shall notify the institution or place of study in writing of his decision and, if said decision is to withdraw the approval previously granted, the reasons therefor and that the institution or place of study has 10 days from receipt of notification of decision in which it may appeal in accordance with the provisions of Part 7 of this chapter.

PART 214g—ADMISSION OF NONIMMIGRANTS: FOREIGN GOVERNMENT REPRESENTATIVES TO INTERNATIONAL ORGANIZATIONS

1. The first sentence of § 214g.1 *Acceptance of classification* is amended by deleting the words "Assistant Commissioner, Inspections and Examinations Division," and inserting in lieu thereof the words "regional commissioner"

2. Section 214g.5 *Additional documents required in support of application for an extension of temporary stay* is revoked.

PART 214h—ADMISSION OF NONIMMIGRANTS: TEMPORARY SERVICES, LABOR OR TRAINING

1. Section 214h.1 *Limitation as to time for which alien may be admitted* is amended by deleting the words "Assistant Commissioner, Inspections and Examinations Division," and inserting in lieu thereof the words "regional commissioner"

2. Section 214h.2 *Bond* is amended by deleting the words "Assistant Commissioner, Inspections and Examinations Division," and inserting in lieu thereof the words "regional commissioner"

3. Section 214h.4 is amended to read as follows:

§ 214h.4 *Petition.* The petition required by section 214 (c) of the act shall be filed on Form I–129B. Form I–129B may include several prospective nonimmigrants provided they are proceeding from the same place of origin and destined to the United States to perform the same type of services. The petitioner shall be notified of the decision and, if the petition is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

4. Sections 214h.5 *Additional documents required in support of an application for an extension of temporary*

admission, 214h.41 *Petition to import,* and 214h.51 *Application for extension of temporary admission, form and procedure* are revoked.

PART 214i—ADMISSION OF NONIMMIGRANTS: REPRESENTATIVES OF INFORMATION MEDIA

Section 214i.5 *Additional documents required in support of application for an extension of temporary admission* is revoked.

PART 214j—ADMISSION OF NONIMMIGRANTS: EXCHANGE ALIENS

Section 214j.6 *Extension of temporary admission, additional documents required in support of application* is revoked.

PART 214k—ADMISSION OF NONIMMIGRANTS: UNILATERIAL ADMISSION OF MEXICAN AGRICULTURAL WORKERS

Part 214k is revoked.

PART 223—REENTRY PERMITS

Part 223 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
223.1 Application.
223.2 Reentry permit.
223.3 Extensions.
223.4 Registrants under Universal Military Training and Service Act.
223.5 Expired permits.

Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

AUTHORITY: §§ 223.1 to 223.5 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply sec. 223, 66 Stat. 194; 8 U. S. C. 1203.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 223.1 *Application.* An application for a reentry permit under the provisions of section 223 of the act shall be submitted on Form I–131. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

§ 223.2 *Reentry permit*—(a) *Form.* Reentry permits shall be issued on Form I–132 and shall indicate whether they are issued under paragraph (a) (1) or (a) (2) of section 223 of the act and the period of their validity.

(b) *Limited reentry permit.* Limited reentry permits, valid for reentry to Hawaii only, may be issued to those citizens of the Philippine Islands specified in § 4.2 (g) of this chapter, if otherwise eligible.

§ 223.3 *Extensions.* An application for extension of a reentry permit shall be addressed to and filed with the district director having administrative jurisdiction over the applicant's place of residence in the United States prior to the expiration of the period of validity of the reentry permit. Such application shall be in writing and shall state the applicant's name and address in the United States; when, where, and the manner in which he departed from the United States; port of landing and date of his arrival abroad; countries visited by him in the order visited; his reasons for requesting an extension and the period for which the extension is desired, and his address to which the permit is to be returned. If the district director concludes that the extension should be granted, the permit will be noted to show the extension and returned to the applicant. If the district director concludes that the extension should not be granted, he shall forward the application for the extension and all related papers to the regional commissioner for decision. If the extension is denied, the permit will be returned to the applicant if the remaining period of its validity permits its use for return to the United States.

§ 223.4 *Registrants under Universal Military Training and Service Act.* A reentry permit or extension thereof shall not be issued or granted to any alien who is legally subject to registration for service in the armed forces of the United States unless the applicant shall present a permit from his local Selective Service Board to depart from the United States. A reentry permit issued to such an alien may be made valid for a period which will coincide with the period of absence authorized by the local board, except that in no instance shall the period exceed one year.

§ 223.5 *Expired permits.* Upon the expiration of the period of validity of a reentry permit, the permit shall be surrendered by the holder to the issuing office. If any such expired permit has not been surrendered to the Service, no subsequent reentry permit shall be issued to the same alien unless he shall first surrender the expired permit, or satisfactorily account for his failure so to do.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS [RESERVED]

PART 231—LISTS OF ALIENS AND CITIZEN PASSENGERS ARRIVING OR DEPARTING

1. Paragraph (b) of § 231.6 is amended to read as follows:

§ 231.6 *Ports of entry for aliens arriving by vessel or by land transportation.* * * *

(b) Subject to the limitations prescribed in this section, the following places are hereby designated as ports of entry for aliens arriving by any means of travel other than aircraft. Such ports are listed according to location by districts. The designations of such ports are divided into three classes—Class A, Class B, and Class C. Class A means that the port is a designated port of entry for all aliens. Class B means that the port is a designated port of entry only for aliens who at the time of applying for admission are lawfully in possession of valid and unexpired resident aliens' border crossing identification cards or valid nonresident aliens' border crossing cards, or are admissible without documents under the waiver of documents contained in this chapter. Class C means that the port is a designated port of entry only for aliens who are arriving in the United States as crewmen as that term is defined in section 101 (a) (10) of the Immigration and Nationality Act with respect to vessels.

DISTRICT NO. 2—BOSTON, MASS.

CLASS A

Bridgewater, Maine.
Calais, Maine (includes Ferry Point, Union and Milltown Bridges).
Coburn Gore, Maine.
Eastport, Maine.
Fort Fairfield, Maine.
Fort Kent, Maine.
Houlton, Maine.
Jackman, Maine.
Limestone, Maine.
Lubec, Maine.
Madawaska, Maine.
Portland, Maine.
Van Buren, Maine.
Vanceboro, Maine.
Boston, Mass. (the port of Boston includes, among others, the port facilities at Braintree, Cambridge, Chelsea, Everett, Medford, Quincy, Somerville, and Weymouth, Mass.).
Gloucester, Mass.
New Bedford, Mass.
Connecticut Lakes, N. H.
Providence, R. I.

CLASS B

Boundary Cottage, Maine.
Easton, Maine.
Estcourt, Maine.
Forest City, Maine.
Four Falls Road, Maine.
Hamlin, Maine.
Hodgdon, Maine.
Knoxford Line Road (Mars Hill), Maine.
Lake Frontier, Maine.
Littleton, Maine.
Lowelltown, Maine.
Monticello, Maine.
Munson Mills Road, Maine.
Orient, Maine.
Robbinston, Maine.
St. Pamphile, Maine.

CLASS C

Bridgeport, Conn.
New Haven, Conn.
New London, Conn. (includes the port facilities at Groton, Conn.).
Stamford, Conn.
Bangor, Maine (the port of Bangor includes, among others, the port facilities at Bar Harbor, Belfast, Brewer, Bucksport, Jonesport, Northeast Harbor, Prospect Harbor, Sandypoint, Seal Harbor, Searsport, and South West Harbor, Maine).
Bath, Maine.
Boothbay Harbor, Maine.
Rockland, Maine.
Beverly, Mass.
Buzzards Bay, Mass.
Danvers, Mass.
Fairhaven, Mass.
Fall River, Mass.
Lynn, Mass.
Marblehead, Mass.
Nantucket, Mass.
Newburyport, Mass.
Oak Bluffs, Mass.
Plymouth, Mass.
Provincetown, Mass.
Salem, Mass.
Scituate, Mass.
Somerset, Mass.
Woods Hole, Mass.
Portsmouth, N. H.
Davisville, R. I.
Melville, R. I.
Newport, R. I.
Quonset Point, R. I.

DISTRICT NO. 3—NEW YORK, N. Y.

CLASS A

New York, N. Y. (the port of New York includes, among others, the port facilities at Bayonne, Carteret, Elizabeth, Elizabethport, Guttenberg, Hoboken, Jersey City, Linden, Newark, Perth Amboy, Port Newark, Sayreville, Sewaren, and Weehawken, N. J., and at Poughkeepsie and Yonkers, N. Y.).

DISTRICT NO. 4—PHILADELPHIA, PA.

CLASS A

Baltimore, Md.
Moorehead City, N. C.
Wilmington, N. C.
Erie, Pa.
Philadelphia, Pa. (the port of Philadelphia includes, among others, the port facilities at Delaware City, Lewes, New Castle, and Wilmington, Del., at Artificial Island, Billingsport, Camden, Deepwater Point, Fisher's Point, Gibbstown, Gloucester City, Paulsboro, and Trenton, N. J., and at Chester, Essington, Fort Mifflin, Marcus Hook, and Morrisville, Pa.).
Newport News, Va.
Norfolk, Va.

CLASS C

Piney Point, Md.
Alexandria, Va.
Fort Monroe, Va.
Richmond, Va.
U. S. Navy Mine Depot, Cheatham Annex, Va.

DISTRICT NO. 6—MIAMI, FLA.

CLASS A

Mobile, Ala.
Apalachicola, Fla.
Bocagrande, Fla.
Fernandina, Fla.
Fort Pierce, Fla.
Jacksonville, Fla.
Key West, Fla.
Miami, Fla.
Panama City, Fla.
Pensacola, Fla.
Port Everglades, Fla.
St. Augustine, Fla.
Tampa, Fla.
West Palm Beach, Fla.
Brunswick, Ga.
Savannah, Ga.
Lake Charles, La.
New Orleans, La. (the port of New Orleans includes, among others, the port facilities at Avondale, Bell Chasse, Braithwaite, Chalmette, Destrahan, Gretna, Harvey, Marrero, Norco, Port Sulphur, St. Rose, and Westwego, La.).
Aguadilla, P. R.
Ensenada, P. R.
Fajardo, P. R.
Humacao, P. R.
Jobos, P. R.
Mayaguez, P. R.
Ponce, P. R.
San Juan, P. R.
Charleston, S. C.
Georgetown, S. C.
Christiansted, St. Croix, V. I.
Frederiksted, St. Croix, V. I.
Cruz Bay, St. John, V. I.
Charlotte Amalie, St. Thomas, V. I.

CLASS C

Carrabelle, Fla.
Port St. Joe, Fla.
St. Petersburg, Fla.
Baton Rouge, La.
Morgan City, La.
Pascagoula, Miss.

DISTRICT NO. 7—BUFFALO, N. Y.

CLASS A

Alexandria Bay, N. Y.
Buffalo, N. Y.
Cape Vincent, N. Y.
Champlain, N. Y.
Chateaugay, N. Y.
Clayton, N. Y.
Fort Covington, N. Y.
Lewiston, N. Y.
Malone, N. Y.
Mooers, N. Y.
Morristown, N. Y.
Niagara Falls, N. Y.
Ogdensburg, N. Y.
Oswego, N. Y.
Rochester, N. Y.
Rooseveltown, N. Y.
Rouses Point, N. Y.
Thousand Island Bridge, N. Y.
Trout River, N. Y.
Waddington, N. Y.
Youngstown, N. Y.
Alburg, Vt.
Alburg Springs, Vt.
Beebe Plain, Vt.
Beecher Falls, Vt.
Canaan, Vt.
Derby Line, Vt.
East Richford, Vt.
Highgate Springs, Vt.
Newport, Vt.
North Troy, Vt.
Norton, Vt.
Richford, Vt.
St. Albans, Vt.
West Berkshire, Vt.

CLASS B

Cannons Corners, N. Y.
Churubusco, N. Y.
Hogansburg, N. Y.
Jamison's Line, N. Y.
Thousand Island Park, N. Y. (June, July, and August only).
Morses Line, Vt.

CLASS C

Dunkirk, N. Y.
Sodus Point, N. Y.

DISTRICT NO. 8—DETROIT, MICH.

CLASS A

Algonac, Mich.
Detroit, Mich.
Isle Royale, Mich.
Marine City, Mich.
Marysville, Mich.
Port Huron, Mich.
Roberts Landing, Mich.
St. Clair, Mich.
Sault Ste. Marie, Mich.
Cleveland, Ohio.
Sandusky, Ohio.
Toledo, Ohio.

CLASS B

Detour, Mich.
Mackinac Island, Mich.

CLASS C

East Chicago, Ind.
Gary, Ind.
Michigan City, Ind.
Alpena, Mich.
Baraga, Mich.
Bay City, Mich.
Benton Harbor, Mich.
Charlevoix, Mich.
Copper Harbor, Mich.
Detour, Mich.
Eagle River, Mich.
Escanaba, Mich.
Frankfort, Mich.
Grand Haven, Mich.
Holland, Mich.
Houghton, Mich.
Kipling, Mich.
L'Anse, Mich.
Ludington, Mich.
Mackinac Island, Mich.
Mackinaw City, Mich.
Manistee, Mich.
Manistique, Mich.
Marquette, Mich.
Menominee, Mich.
Munising, Mich.
Muskegon, Mich.
Northport, Mich.
Ontonagon, Mich.
Petoskey, Mich.
Port Island, Mich.
Rogers City (Calcite), Mich.
Saginaw, Mich.
South Haven, Mich.
Traverse City, Mich.
Ashtabula, Ohio.
Conneaut, Ohio.
Fairport, Ohio.
Huron, Ohio.
Lorain, Ohio.
Marblehead, Ohio.

DISTRICT NO. 9—CHICAGO, ILL.

CLASS A

Chicago, Ill.
Baudette, Minn.
Duluth, Minn. (the port of Duluth includes, among others, the port facilities at Superior, Wis.).
International Falls, Minn.
Lancaster, Minn.
Noyes, Minn.
Pigeon River, Minn.
Pine Creek, Minn.
Ranier, Minn.
Roseau, Minn.
Warroad, Minn.
Winton, Minn.
Ambrose, N. Dak.
Antler, N. Dak.
Carbury, N. Dak.
Dunseith, N. Dak.
Fortuna, N. Dak.
Hannah, N. Dak.
Hansboro, N. Dak.
Maida, N. Dak.
Neche, N. Dak.
Noonan, N. Dak.
Northgate, N. Dak.
Pembina, N. Dak.
Portal, N. Dak.
St. John, N. Dak.
Sarles, N. Dak.
Sherwood, N. Dak.
Walhalla, N. Dak.
Westhope, N. Dak.
Green Bay, Wis.
Milwaukee, Wis.

CLASS B

Crane Lake, Minn.
Gunflint Lake, Minn.
Indus, Minn.
Oak Island, Minn.
Lake Metegoshe, N. Dak.

CLASS C

Grand Marais, Minn.
Two Harbors, Minn.
Algoma, Wis.
Ashland, Wis.
Bayfield, Wis.
Kenosha, Wis.
Kewaunee, Wis.
Manitowoc, Wis.
Marinette, Wis.
Oconto, Wis.
Peshtigo, Wis.
Port Washington, Wis.
Racine, Wis.
Sheboygan, Wis.
Sturgeon Bay, Wis.
Washburn, Wis.

DISTRICT NO. 12—SEATTLE, WASH.

CLASS A

Eagle, Alaska.
Haines, Alaska.
Juneau, Alaska (the port of Juneau includes, among others, the port facilities at Sitka, Pelican, and Taku Inlet).
Ketchikan, Alaska (the port of Ketchikan includes, among others, the port facilities at Wrangell, Alaska, and Ketchikan proper).
Skagway, Alaska.
Tok Junction, Alaska.
Eastport, Idaho.
Porthill, Idaho.

Babb, Mont.
Chief Mountain, Mont. (May–October).
Del Bonita, Mont.
Goathaunt Camp, Mont. (May–October).
Havre, Mont.
Morgan, Mont.
Opheim, Mont.
Raymond, Mont.
Roosville, Mont.
Scobey, Mont.
Sweetgrass, Mont.
Turner, Mont.
Whitetail, Mont.
Astoria, Oreg.
Coos Bay, Oreg.
Portland, Oreg.
Aberdeen, Wash.
Anacortes, Wash.
Bellingham, Wash.
Blaine, Wash.
Danville, Wash.
Edmonds, Wash.
Everett, Wash.
Ferry, Wash.
Friday Harbor, Wash. (the port of Friday Harbor includes, among others, the port facilities at Roche Harbor, Wash.).
Laurier, Wash.
Longview, Wash.
Lynden, Wash.
Metaline Falls, Wash.
Neah Bay, Wash.
Northport, Wash.
Olympia, Wash.
Oroville, Wash.
Port Angeles, Wash.
Port Townsend, Wash.
Seattle, Wash.
South Bend, Wash.
Sumas, Wash.
Tacoma, Wash.

CLASS B

Trail Creek, Mont.
Whitlash, Mont.
Nighthawk, Wash.
Point Roberts, Wash.

CLASS C

Pelican, Alaska.
Bangor, Wash.
Blake Island, Wash.
Bremeton, Wash.
Dupont, Wash.
Houghton, Wash.
Kingston, Wash.
Mukilteo, Wash.
Orchard Point, Wash.
Point Wells, Wash.
Port Gamble, Wash.
Port Orchard, Wash.
Shuffleton, Wash.
Winslow, Wash.

DISTRICT NO. 13—SAN FRANCISCO, CALIF.

CLASS A

Andrade, Calif.
Calexico, Calif.
San Diego, Calif.
San Francisco, Calif.
San Luis Obispo, Calif. (the port of San Luis Obispo includes, among others, the port facilities at Avila, Calif.).
San Pedro, Calif. (this is the port of Los Angeles and includes, among others, the port facilities at El Segundo, Long Beach Harbor Area, and Redondo Beach, Calif.).
San Ysidro, Calif.
Tecate, Calif.
Ventura, Calif. (the port of Ventura includes, among others, the port facilities at Port Hueneme and Elwood, Calif.).
Agana, Guam, M. I. (including the port facilities at Apra Harbor, Guam).
Honolulu, T. H.

CLASS B

Campo, Calif.

CLASS C

Eureka, Calif.
Hilo, T. H.
Kahului, T. H.
Nawiliwili, T. H.
Port Allen, T. H.

DISTRICT NO. 14—SAN ANTONIO, TEX.

CLASS A

Beaumont, Tex.
Brownsville, Tex. (the port of Brownsville includes, among others, the port facilities at Port Isabel, Tex.).
Corpus Christi, Tex. (the port of Corpus Christi includes, among others, the port facilities at Harbor Island and Ingleside, Tex.).
Del Rio, Tex.
Eagle Pass, Tex.
Falcon Heights, Tex.
Freeport, Tex.
Galveston, Tex. (the port of Galveston includes, among others, the port facilities at Port Bolivar and Texas City, Tex.).
Hidalgo, Tex.
Houston, Tex. (the port of Houston includes, among others, the port facilities at Baytown, Tex.).
Laredo, Tex.
Los Ebanos, Tex.
Port Arthur, Tex. (the port of Port Arthur includes, among others, the port facilities at Orange and Sabine, Tex.).
Progreso, Tex.
Rio Grande City, Tex.
Roma, Tex.

CLASS B

San Ygnacio, Tex.

DISTRICT NO. 15—EL PASO, TEX.

CLASS A

Douglas, Ariz.
Lukeville, Ariz.
Naco, Ariz.
Nogales, Ariz.
Sasabe, Ariz.
San Luis, Ariz.
Columbus, N. Mex.
El Paso, Tex.
Fabens, Tex.
Presidio, Tex.
Yaleta, Tex.

CLASS B

Lochiel, Ariz.
Antelope Wells, N. Mex.
Monument No. 67, near Cloverdale, N. Mex.
Boquillas, Tex.
Candelaria, Tex.
Castolon, Tex.
Chinati, Tex.
Fort Hancock, Tex.
Hot Springs, Tex.
Lajitis, Tex.
Polovo, Tex.
Porvenir, Tex.
Ruidosa, Tex.

2. Paragraph (a) of § 231.7 *Ports of entry for aliens arriving by aircraft* is amended (a) by substituting "Detroit, Mich., Detroit-Wayne Major Airport" for "Detroit, Mich., Wayne County Airport" (b) by inserting "Friday Harbor, Wash., Friday Habor" between "Fort Lauderdale, Fla., Broward County Airport" and "Grand Forks, N. Dak., Grand Forks Municipal Airport" and (c) by inserting "Port Huron, Mich., St. Clair County Airport" between "Portal, N. Dak., Portal Airport" and "Port Townsend, Wash., Port Townsend Airport."

3. Section 231.8 is amended to read as follows:

§231.8 *Immigration stations in Canada.* The following-designated United States immigration stations are located in Canada and are within the organization of the districts indicated:

DISTRICT NO. 2—BOSTON, MASS.

St. John, New Brunswick.
Yarmouth, Nova Scotia (May–September).

DISTRICT NO. 7—BUFFALO, N. Y.

Toronto, Ontario.
Montreal, Quebec.
Quebec, Province of Quebec.

DISTRICT NO. 9—CHICAGO, ILL.

Winnipeg, Manitoba.

DISTRICT NO. 12—SEATTLE, WASH.

Vancouver, British Columbia.
Victoria, British Columbia.

4. The second and third sentences of paragraph (f) *Listing documents* of § 231.21 *Arrival manifests and lists for vessels; general directions for preparation* are amended to read as follows: "If the alien is to pass through the United States under the provisions of section 238 (d) of the act, the notation 'WOV–419' or in the case of an alien for whom a Form I–419 is not required, the notation 'WOV' shall be made in column (2) In the case of each alien passenger who does not have a Form 256, 257, I–100a, I–132, or, when required, Form I–419, the persons responsible for the delivery of the manifest shall, except in the case of a passenger whose case falls within the provisions of § 221.3 (b) (1) of this chapter, prepare as a part thereof a set of immigration Forms I–94 and deliver them to such passenger for surrender by him to the United States immigration officer at the port where the passenger is to be examined for admission to the United States."

5. The first sentence of subparagraph (2) of paragraph (a) *General directions for preparation* of § 231.41 *Arrival manifests for aircraft* is amended to read as follows: "In the case of each alien passenger who does not have a Foreign Service Form 256 or 257 or an immigration Form I–100a, I–132, or when required, I–419, the persons responsible for the delivery of the manifest shall, except in the case of a passenger whose case falls within the provisions of § 221.3 (b) (1) of this chapter, prepare as a part thereof a set of immigration Forms I–94 and deliver them to such passenger for surrender by him to the United States immigration officer at the port where the passenger is to be examined for admission to the United States."

PART 235—INSPECTION OF ALIENS APPLYING FOR ADMISSION

1. The last sentence of § 235.4 *Admitted alien assisted* is amended by deleting the words "the Central Office" and inserting in lieu thereof the words "the regional office"

2. Section 235.12 *Referral of certain cases to district director or officer in charge* is amended by adding a sentence at the end thereof to read as follows: "The immigration officer conducting the preliminary examination at a port of entry of an alien applying for permanent admission to the United States who is liable to be excluded on grounds other than those set forth in paragraph (27), (28), or (29) of section 212 (a) of the act and who appears to be eligible to apply for the exercise of discretion under the provisions of section 212 (c) of that act and § 212.73 of this chapter, shall, if

the alien applies for the exercise of such discretion, defer further examination and refer the application to the district director having jurisdiction over the place where the examination is being conducted."

PART 236—EXCLUSION OF ALIENS

Paragraph (a) of § 236.14 *Finality of decision* is amended by deleting the words "Assistant Commissioner, Inspections and Examinations Division," and inserting in lieu thereof the words "regional commissioner"

PART 242—ALIENS: APPREHENSION, CUSTODY AND DETERMINATION OF DEPORTABILITY

1. The second and fifth sentences of § 242.2 *Officers authorized to detain or release aliens from custody; appeals* are amended by deleting the words "Assistant Commissioner, Border Patrol, Detention and Deportation Division," and inserting in lieu thereof the words "regional commissioner"

2. Section 242.72 *Release from custody* is amended by deleting the words "the Commissioner or the Assistant Commissioner, Detention, Deportation, and Border Patrol Division." and inserting in lieu thereof the words "regional commissioner."

PART 243—DEPORTATION OF ALIENS IN THE UNITED STATES

The last sentence of subparagraph (2) of paragraph (b) *Stay of deportation* of § 243.3 *Execution of warrants of deportation* is amended by deleting the words "Commissioner or the Assistant Commissioner, Border Patrol, Detention and Deportation Division," and inserting in lieu thereof the words "regional commissioner"

PART 244—SUSPENSION OF DEPORTATION AND VOLUNTARY DEPARTURE

Section 244.11 is amended to read as follows:

§ 244.11 *Application for voluntary departure after issuance of warrant of arrest and prior to commencement of hearing.* The alien, if he believes that he is eligible for voluntary departure under section 244 (e) of the act, may, at any time subsequent to the issuance of a warrant of arrest and prior to the commencement of the hearing, apply therefor by submitting Form I–256 to the district director or officer in charge having administrative jurisdiction over the office in which the deportation proceedings against such alien are pending. If such officer is satisfied that the alien is subject to deportation upon any ground other than those set forth in paragraph (4) (5) (6) (7) (11) (12) (14) (15), (16) (17) or (18) of section 241 (a) of the act; that the alien is willing and able to depart promptly from the United States; that the alien will apparently be admitted to the country of his destination; that the alien is and has been a person of good moral character for at least 5 years immediately preceding his application for voluntary departure, and that the application should be granted, he shall grant the application and shall inform the alien of the time within which and under what conditions the departure shall be affected. If such officer is not so satisfied, or if it appears the applicant is or may be subject to deportation upon any ground set forth in paragraph (4) (5) (6) (7) (11) (12) (14) (15) (16), (17) or (18) of section 241 (a) of the act, the district director or officer in charge shall refer the application for voluntary departure with the case of the alien to a special inquiry officer for hearing and determination in accordance with § 242.61 and § 244.12 of this chapter.

PART 245—ADJUSTMENT OF STATUS OF NONIMMIGRANT TO THAT OF A PERSON ADMITTED FOR PERMANENT RESIDENCE

Part 245 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
245.1 Application.
245.2 Documentary requirements.
245.3 Medical examination.

Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

AUTHORITY: §§ 245.1 to 245.3 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 101, 234, 245, 247, 66 Stat. 167, 168, 198, 217, 218; 8 U. S. C. 1103, 1224, 1255, 1257.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 245.1 *Application.* Any alien (including one admitted as a student under section 4 (e) of the Immigration Act of 1924) who entered the United States in good faith as a nonimmigrant, and who believes that he meets the eligibility requirements set forth in section 245 of the act, may apply for an adjustment of status on Form I–507. *Provided,* That an alien who has a nonimmigrant status under paragraph (15) (A) (15) (E), or (15) (G) of section 101 (a) of the act, or has an occupational status which would, if he were seeking admission to the United States, entitle him to a nonimmigrant status under any of such paragraphs of section 101 (a) of the act, shall not be eligible to apply for adjustment of status without first executing and submitting with his application the written waiver required by section 247 (b) of the act and Part 247 of this chapter. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

§ 245.2 *Documentary requirements.* The provisions of § 211.1 of this chapter relating to the documentary requirements for immigrants shall not apply to an applicant for adjustment of status under this part.

§ 245.3 *Medical examination.* Upon acceptance of an application, the applicant shall be requested to submit to an examination by a medical officer of the United States Public Health Service, whose report setting forth the findings of the mental and physical condition of the applicant shall be incorporated into the record. Any applicant certified under paragraph (1), (2) (3), (4), or (5) of section 212 (a) of the act may appeal to a board of medical officers of the United States Public Health Service as provided in section 234 of the act and § 236.13 (c) of this chapter.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS [RESERVED]

PART 246—RESCISSION OF ADJUSTMENT OF STATUS

Part 246 is amended to read as follows:

Subpart A—Substantive Provisions [Reserved]

Subpart B—Procedural and Other Nonsubstantive Provisions

Sec.
246.11 Notice.
246.12 Disposition of case.
246.13 Decision by the regional commissioner.
246.14 Surrender of Form I–151.

AUTHORITY: §§ 246.11 to 246.14 issued under sec. 103, 66 Stat. 173. Interpret or apply secs. 244, 246, 66 Stat. 214, 217; 8 U. S. C. 1254, 1256.

SUBPART A—SUBSTANTIVE PROVISIONS [RESERVED]

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

§ 246.11 *Notice.* If it appears to a district director that a person residing in his district was not in fact eligible for the adjustment of status made in his case, he shall cause a notice to be served on such person informing him of the grounds upon which it is intended to rescind the adjustment of status. The notice shall also inform the person that he may submit, within 30 days from the date of service of the notice, an answer in writing under oath setting forth reasons why such rescission should not be made. The notice shall also advise the person that he may, within such period and upon his request have an opportunity to appear in person, in support or in lieu of his written answer, before an immigration officer designated for that purpose. The person shall further be advised that he may have the assistance of counsel without expense to the government of the United States in the preparation of his answer or in connection with his personal appearance and may examine the evidence upon which it is proposed to base such rescission at at a Service office.

§ 246.12 *Disposition of case*—(a) *Allegations admitted or no answer filed.* If the answer admits the allegations in the notice, or if no answer is filed within the 30-day period, and the status of permanent resident was acquired through suspension of deportation under section 19 (c) of the Immigration Act of February 5, 1917 or under section 244 of the Immigration and Nationality Act, the district director shall forward the file and all of the papers to the regional commissioner, for further action in accordance with section 246 of the Immigration and Nationality Act. If the answer admits the allegations in the notice, or if no answer is filed within the 30-day

period, and the status of permanent resident was acquired through adjustment of status other than through suspension of deportation, the district director shall rescind the adjustment of status previously granted and no appeal shall lie from such decision.

(b) *Answer filed, personal appearance.* Upon receipt of an answer asserting a defense to the allegations made in the notice without requesting a personal appearance, or if a personal appearance is requested or directed, the case shall be assigned to an immigration officer. Pertinent evidence, including testimony of witnesses, shall be incorporated in the record. At the conclusion of the interview, the immigration officer shall prepare a report summarizing the evidence and containing his findings and recommendation. The record, including the report and recommendation of the immigration officer, shall be forwarded to the district director who caused the notice to be served. The district director shall note on the report of the immigration officer whether he approves or disapproves the recommendation of the immigration officer. If the decision of the district director is that the matter be terminated, the alien shall be informed of such decision. If the decision of the district director is that the adjustment of status should be rescinded, the following action shall be taken:

(1) If the status of permanent resident was acquired through suspension of deportation under section 19 (c) of the Immigration Act of 1917 or under section 244 of the Immigration and Nationality Act, the district director shall forward the record to the regional commissioner for further action in accordance with section 246 of the Immigration and Nationality Act.

(2) If the status of permanent resident was acquired through adjustment of status other than through suspension of deportation, the district director shall enter a decision rescinding the adjustment of status previously granted. The alien shall be informed of the decision and of the reasons therefor. From the decision of the district director an appeal may be taken within 10 days from the receipt of notification of the decision as provided in Part 7 of this chapter.

§ 246.13 *Decision by the regional commissioner* If the decision of the regional commissioner is that the adjustment of status be rescinded and such status was acquired through suspension of deportation, he shall cause further action to be taken as provided in section 246 of the act to present the case to the Congress. In any other case, the record shall be returned to the district director who shall inform the alien of the decision.

§ 246.14 *Surrender of Form I–151.* An alien whose status as a permanent resident has been rescinded or withdrawn in accordance with section 246 of the act and this part, shall, upon demand, promptly surrender to the district director having administrative jurisdiction over the office in which the action under this part was taken the Form I–151 issued to him at the time of the grant of permanent resident status.

PART 247—ADJUSTMENT OF STATUS OF CERTAIN RESIDENT ALIENS

Part 247 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
247.1 Scope of part.

Subpart B—Procedural and Other Nonsubstantive Provisions

247.11 Notice.
247.12 Disposition of case.
247.13 Disposition of Form I–508.
247.14 Surrender of documents.

AUTHORITY: §§ 247.1 to 247.14 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 101, 247, 66 Stat. 167, 218; 8 U. S. C. 1101, 1257.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 247.1 *Scope of part.* The provisions of this part apply to an alien who is lawfully admitted for permanent residence and has an occupational status which, if he were seeking admission to the United States, would entitle him to a nonimmigrant status under paragraph (15) (A) or (15) (G) of section 101 (a) of the act, and to his immediate family; also, an alien who was lawfully admitted for permanent residence and has an occupational status which, if he were seeking admission to the United States, would entitle him to a nonimmigrant status under paragraph (15) (E) of section 101 (a) of the act, and to his spouse and children.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

§ 247.11 *Notice.* If it appears to a district director that an alien residing in his district, who was lawfully admitted for permanent residence, has an occupational status described in section 247 of the act, he shall cause a notice on Form I–509 to be served on such alien informing him that it is proposed to adjust his status, unless the alien requests that he be permitted to retain his status as a resident alien and executes and files with such district director a Form I–508 (Waiver of Rights, Privileges, Exemptions and Immunities) within 10 days from receipt of the notice, or the alien, within such 10-day period, files with the district director a written answer under oath setting forth reasons why his status should not be adjusted. The notice shall also advise the person that he may, within such period and upon his request have an opportunity to appear in person, in support or in lieu of his written answer, before an immigration officer designated for that purpose. The person shall further be advised that he may have the assistance of counsel without expense to the government of the United States in the preparation of his answer or in connection with such personal appearance, and may examine the evidence upon which it is proposed to base such adjustment.

§ 247.12 *Disposition of case—(a) Allocations admitted or no answer filed.* If the waiver Form I–508 is not filed by the alien within the time prescribed, and the answer admits the allegations in the notice, or no answer is filed, the district director shall place a notation on the notice describing the alien's adjusted nonimmigrant status and shall cause a set of Forms I–94 to be prepared evidencing the nonimmigrant classification to which the alien has been adjusted and no appeal shall lie from such decision. The Form I–940 shall be delivered to the alien and shall constitute notice to him of such adjustment. The alien's nonimmigrant status shall be for such time, under such conditions, and subject to such regulations as are applicable to the particular nonimmigrant status granted and shall be subject to such other terms and conditions, including the exaction of bond, as the district director may deem appropriate.

(b) *Answer filed, personal appearance.* Upon receipt of an answer asserting a defense to the allegations made in the notice without requesting a personal appearance, or if a personal appearance is requested or directed, the case shall be assigned to an immigration officer. Pertinent evidence, including testimony of witnesses, shall be incorporated in the record. The immigration officer shall prepare a report summarizing the evidence and containing his findings and recommendation. The record, including the report and recommendation of the immigration officer, shall be forwarded to the district director who caused the notice to be served. The district director shall note on the report of the immigration officer whether he approves or disapproves the recommendation of the immigration officer. If the decision of the district director is that the matter be terminated, the alien shall be informed of such decision. If the decision of the district director is that the status of the alien should be adjusted to that of a nonimmigrant, his decision shall provide that unless the alien, within 10 days of receipt of notification of such decision, requests permission to retain his status as an immigrant and files with the district director Form I–508, the alien's immigrant status be adjusted to that of a nonimmigrant. The alien shall be informed of such decision and of the reasons therefor, and that he has 10 days from the receipt of notification of such decision within which he may appeal in accordance with Part 7 of this chapter. If the alien does not request that he be permitted to retain status and file the Form I–508 within the period provided therefor, the district director, without further notice to the alien, shall cause a set of Forms I–94 to be prepared evidencing the nonimmigrant classification to which the alien has been adjusted. The Form I–94C shall be delivered to the alien. The alien's nonimmigrant status shall be for such time, under such conditions, and subject to such regulations as are applicable to the particular nonimmigrant status created and shall be subject to such other terms and conditions, including the exaction of bond, as the district director may deem appropriate.

§ 247.13 *Disposition of Form I–508.* If Form I–508 is executed and filed, the duplicate copy thereof shall be filed in the office of the Assistant Commissioner,

Examinations Division, and may be made available for inspection by any interested officer or agency of the United States.

§ 247.14 *Surrender of documents.* An alien whose status as a permanent resident has been adjusted to that of a nonimmigrant in accordance with section 247 of the act and this part, shall, upon demand, promptly surrender to the district director having administrative jurisdiction over the office in which the action under this part was taken any documents (such as Form I–151 or any other from of alien-registration receipt card, immigrant identification card, resident alien's border-crossing identification card (Form I–187) certificate of registry, or certificate of lawful entry) in his possession evidencing his former permanent resident status.

PART 248—CHANGE OF NONIMMIGRANT CLASSIFICATION

Part 248 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
248.1 Scope of part.
248.2 Application.
248.3 Change of nonimmigrant classification to that under section 101 (a) (15) (H) of the Immigration and Nationality Act.

Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

AUTHORITY: §§ 248.1 to 248.3 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 101, 247, 248, 66 Stat. 167, 203, 218; 8 U. S. C. 1101, 1257, 1258.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 248.1 *Scope of part.* Any alien lawfully admitted to the United States as a nonimmigrant (including an alien who acquired such status pursuant to section 247 of the act) who is continuing to maintain his nonimmigrant status, may apply to have his nonimmigrant classification changed to any other nonimmigrant classification for which he may be qualified. This section shall not apply to an alien classified as a nonimmigrant under section 101 (a) (15) (D) of the act, or to an alien classified as a nonimmigrant under section 101 (a) (15) (C) who is within the purview of section 238 (d) of that act. Any eligible alien classified as a nonimmigrant under section 101 (a) (15) (C) may apply only for a change to a classification under paragraph (15) (A) or (15) (G) of section 101 (a) of the act.

§ 248.2 *Application.* Application for change of nonimmigrant classification shall be made on Form I–506. If the application is granted, the alien's nonimmigrant status under such reclassification shall be subject to the terms and conditions applicable generally to such classification and to such other additional terms and conditions, including the exaction of bond, which the district director deems appropriate to the case, and the district director shall cause a new set of Forms I–94 to be prepared and Form I–94C to be delivered to the applicant. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

§ 248.3 *Change of nonimmigrant classification to that under section 101 (a) (15) (H) of the Immigration and Nationality Act.* Notwithstanding any other provisions of this part, an application on Form I–506 for a change of an alien's nonimmigrant classification to that described in section 101 (a) (15) (H) of the act shall be accompanied by an application on Form I–129B made by the alien's prospective employer or trainer.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS [RESERVED]

PART 249—CREATION OF RECORD OF LAWFUL ADMISSION FOR PERMANENT RESIDENCE

Part 249 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
249.1 Scope of part.
249.2 Application.
249.3 Delivery of Form I–151.

Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

AUTHORITY: §§ 249.1 to 249.3 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply sec. 249, 66 Stat. 219; 8 U. S. C. 1259.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 249.1 *Scope of part.* Any alien who believes that he meets the eligibility requirements enumerated in section 249 (a) of the act may apply for the creation of a record of lawful admission for permanent residence. Such a record shall not be created in behalf of any alien who entered the United States prior to July 1, 1924, and as to whom a record of admission for permanent residence as an alien prior to that date does not exist, except in accordance with the provisions of section 249 of the act, this part, or other statutory authority.

§ 249.2 *Application.* An application under this part shall be made on Form N–105. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

§ 249.3 *Delivery of Form I–151.* If the application is granted, a Form I–151, showing that the applicant has acquired the status of an alien lawfully admitted for permanent residence, shall be issued to the applicant. If the alien is in possession of any other document evidencing compliance with the Alien Registration Act, 1940, or Chapter 7 of Title II of the Immigration and Nationality Act, he shall be required to surrender it.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS [RESERVED]

PART 250—REMOVAL OF ALIENS WHO HAVE FALLEN INTO DISTRESS

Part 250 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
250.1 Application.
250.2 Removal authorization.

Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

AUTHORITY: §§ 250.1 and 250.2 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply sec. 250, 66 Stat. 219; 8 U. S. C. 1260.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 250.1 *Application.* Application for removal shall be made on Form I–243. No appeal shall lie from the decision of the district director.

§ 250.2 *Removal authorization.* If the district director grants the application he shall issue an authorization for the alien's removal on Form I–202. Upon issuance of the authorization, or as soon thereafter as practicable, the alien may be removed from the United States at government expense.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS [RESERVED]

PART 251—CREWMEN: LISTS OF; REPORTS OF ILLEGAL LANDINGS

1. Section 251.3 is amended to read as follows:

§ 251.3 *Listing of crewmen.* In every case in which a crew list is required to be delivered upon arrival, crewmen of vessels or aircraft who are nationals of the United States or who hold individual crewmen visas shall not be listed on the visaed crew list. Such crewmen shall be listed on a separate form of the same number required for the visaed crew list and the same information noted thereon as in the cases of alien crewmen listed on the visaed crew list.

2. The fourth sentence of § 251.36 *Listing of change in crew of vessel or aircraft* is amended by deleting the words "Assistant Commissioner, Inspections and Examinations Division," and inserting in lieu thereof the words "regional commissioner."

PART 252—LANDING OF ALIEN CREWMEN

1. Paragraph (c) of § 252.3 *Arrest and deportation of crewmen not within the purview of* § 252.2 is amended to read as follows:

(c) *When deemed not to intend to depart.* For the purposes of this section, an alien crewman shall be deemed not to intend to depart on a vessel or aircraft within the period for which he was permitted to land temporarily if:

(1) He evidences orally, by writing, or by conduct an intention not to depart on a vessel or aircraft within the period of time for which he was permitted to land temporarily; or

(2) By reason of his own conduct it is or will be impossible for him to depart on a vessel or aircraft within the period for which he was permitted to land.

2. Section 252.4 is amended to read as follows:

§ 252.4 *Request for change of period of landing.* An alien crewman permitted to land for the period set forth in section

252 (a) (1) of the act who is maintaining his status but who desires to depart as a member of the crew of a vessel or aircraft other than the one on which he arrived, may, within the period for which permitted to land, apply in person, if physically able to do so, to an immigration officer to have his landing changed to that authorized under section 252 (a) (2) of the act. If such an alien crewman is physically unable to apply in person because of illness or hospitalization, he may make a written application to the district director or officer in charge having administrative jurisdiction over the port of arrival to have his landing changed to that authorized under section 252 (a) (2) of the act, or the written application may be made in the crewman's behalf by one of the persons enumerated in section 256 of the act.

PART 264—REGISTRATION OF ALIENS IN THE UNITED STATES: FORMS AND PROCEDURE

1. Subparagraph (3) of paragraph (c) of § 264.1 *Alien-registration receipt card* is amended so that when taken with the introductory material it will read as follows:

(c) *Forms constituting alien-registration receipt cards under the Immigration and Nationality Act.* In addition to any form specifically stated elsewhere in this chapter to be an alien-registration receipt card issued pursuant to section 264 (d) of the act, the forms listed in this paragraph shall, under the conditions specified, also constitute alien-registration receipt cards.

* * * * *

(3) *Form I–94C.* Except as otherwise provided in this part, an alien registered on Form AR–2 and, when applicable, AR–4 as provided in § 264.11 shall be given Form I–94C endorsed to show such registration and that form shall be the alien's registration receipt card.

2. Section 264.5 is amended to read as follows:

§ 264.5 *Replacement of alien-registration receipt cards; aliens lawfully admitted for permanent residence.* Any alien lawfully admitted to the United States for permanent residence whose alien-registration receipt card has been lost, mutilated, or destroyed, shall immediately apply for a new alien-registration receipt card on Form I–90, and upon approval of his application shall be issued a new alien-registration receipt card. Any alien lawfully admitted to the United States for permanent residence whose name has been changed after registration by order of court or marriage, or who is in possession of an alien-registration receipt card that does not constitute prima facie evidence of his lawful admission for permanent residence (such as Forms AR–3 and AR–103) may also apply on Form I–90 for a new alien-registration receipt card. No appeal shall lie from the decision of the officer denying the application.

3. Section 264.6 is amended to read as follows:

§ 264.6 *Reregistration: Aliens other than those lawfully admitted for permanent residence whose alien-registration receipt cards have been lost, mutilated, or destroyed.* Any alien other than one within the provisions of § 264.5 whose alien-registration receipt card has been lost, mutilated, or destroyed shall immediately apply to the nearest office of the Service for a new alien-registration receipt card. The alien shall be reregistered as if he were being initially registered under the provisions of this part and a new alien-registration receipt card shall be issued to him as provided in § 264.1 (c) (3) and (5)

4. Section 264.11 is amended to read as follows:

§ 264.11 *Form of registration.* Any alien required to be registered in the United States shall, except as otherwise provided in this chapter, be registered on Form AR–2 and, where necessary, Form AR–2a. Except as provided in § 263.3 (a) of this chapter, the alien shall be fingerprinted on Form AR–4 and when the alien is registered on Form AR–2, the registration officer shall take an imprint of the alien's right index finger in the space provided therefor on Form AR–2.

5. Paragraph (a) of § 264.12 *Manner of registration* is amended to read as follows:

(a) The registration officer shall complete the registration forms prescribed by this part in the English language from the information furnished by the alien and all fingerprints shall be taken by such officer. When an alien other than a lawful permanent resident is registered on Form AR–2, the registration officer shall issue Form I–94C or I–95A to the alien and shall endorse such form to show that he has registered under the Immigration and Nationality Act.

6. Section 264.51 *Replacement of alien-registration receipt cards; procedure* is revoked.

PART 280—IMPOSITION AND COLLECTION OF FINES

Section 280.13 is amended to read as follows:

§ 280.13 *Disposition of case*—(a) *Allegations admitted or no answer filed.* If a request for personal appearance is not filed and (1) the answer admits the allegations in the notice, or (2) no answer is filed, the district director shall enter such order in the case as he deems appropriate and no appeal from his decision may be taken.

(b) *Answer filed, personal appearance.* Upon receipt of an answer asserting a defense to the allegations in the notice without requesting a personal appearance, or if a personal appearance is requested or directed, the case shall be assigned to an immigration officer. The immigration officer shall prepare a report summarizing the evidence and containing his findings and recommendation. The record, including the report and recommendation of the immigration officer, shall be forwarded to the district director. The district director shall note on the report of the immigration officer whether he approves or disapproves the recommendation of the immigration officer. The person shall be informed in writing of the decision of the district director and, if his decision is that a fine shall be imposed or that the requested mitigation or remission shall not be granted, of the reasons for such decision. From the decision of the district director an appeal may be taken to the Board within 10 days of the receipt of notification of the decision, as provided in Part 6 of this chapter.

PART 316a—RESIDENCE, PHYSICAL PRESENCE AND ABSENCE

Paragraph (c) of 316a.21 *Application for benefits with respect to absences; appeal* is amended to reads as follows:

(c) The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter.

PART 319—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: SPOUSES OF UNITED STATES CITIZENS

The last sentence of § 319.2 *Persons whose United States citizen spouse is employed abroad* is amended by deleting the words "Inspections and" following the words "Assistant Commissioner,".

PART 331—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: ALIEN ENEMIES

1. The first sentence of § 331.3 *Revocation of exception from classification of alien enemy* is amended by deleting the words "Assistant Commissioner" and inserting the lieu thereof the words "regional commissioner"

2. The last three sentences of § 331.13 *Exception from classification of alien enemy* are amended to read as follows: "The applicant shall be notified of the decision, and, if the application is denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter. If the regional commissioner approves the application, the district director shall except the applicant from the classification of alien enemy in the manner provided in this section. An applicant who has been excepted from the classification of alien enemy under this section shall be entitled to a hearing upon his petition for naturalization without regard to the provisions of § 331.11."

PART 332—PRELIMINARY INVESTIGATION OF APPLICANTS FOR NATURALIZATION AND WITNESSES

1. The headnote to Part 332 is amended to read as set forth above.

2. The headnotes to § 332.11 and paragraph (a) of that section are amended to read as follows: "§ 332.11 *Investigation preliminary to filing petition for naturalization*—(a) *Scope of investigation.*"

3. The last sentence of paragraph (a) of § 332.11 is amended by deleting the

word "interrogation" and inserting in lieu thereof the word "investigation"

4. Paragraph (b) of § 332.11 is amended to read as follows:

(b) *Conduct of investigation.* The Service officer, prior to the beginning of the investigation, shall make known to the applicant and the witnesses the official capacity in which he is conducting the investigation. The applicant and such witness shall be questioned under oath separately and apart from one another and apart from the public. The applicant shall be questioned as to each assertion made by him in his application to file a petition and in any supplemental form. Whenever necessary, the written answers in the forms shall be corrected by the officer to conform to the oral statements made under oath. The Service officer, in his discretion, may have a stenographic transcript made, or prepare affidavits covering testimony of the applicant or witnesses. The questions to the applicant and the witnesses shall be repeated in different form and elaborated, if necessary, until the officer conducting the investigation is satisfied that the person being questioned fully understands them. At the conclusion of the investigation all corrections made on the application form and supplements thereto shall be consecutively numbered and recorded in the space provided therefor in the applicant's affidavit contained in the form. The affidavit shall then be subscribed and sworn to by the applicant and signed by the Service officer. The witnesses shall be questioned to develop their own credibility and competency as well as the extent of their personal knowledge of the applicant's qualifications to become a naturalized citizen. If the applicant is excepted from the requirement of reading and writing, and speaking English, the questioning, including the examination of the applicant's knowledge and understanding of the Constitution, history, and form of Government of the United States, may be conducted through an interpreter.

5. Section 332.12 *Certificate by examiner whenever petitioner is entitled to immediate hearing* is amended by deleting the word "interrogation" and inserting in lieu thereof the word "investigation"

6. Section 332.13 *Use of record of preliminary interrogation* is amended to read as follows:

§ 332.13 *Use of record of preliminary investigation.* The record of the preliminary investigation, including the executed and corrected application form and supplements thereto, affidavits, transcripts of testimony, documents, and other evidence, shall, in those cases in which a preliminary examination is to be held under Part 335 of this chapter, be submitted to the examiner designated to conduct such examination, for his use in examining the petitioner and witnesses. In those cases in which no preliminary examination is held the recommendation to the naturalization court shall be based upon the record of the preliminary investigation and such other evidence as may be available.

7. Section 332.14 is amended to read as follows:

§ 332.14 *Notice of proposed recommendation of denial; findings, conclusion, and recommendation.* In those cases in which the recommendation to the court is for denial of the petition, and no preliminary examination under Part 335 of this chapter is held, an officer of the Service shall, as soon as practicable after the preliminary investigation has been concluded, prepare a memorandum in behalf of the Service in the manner described in § 335.12 of this chapter, and subject to review by the Assistant Commissioner, Examinations Division, for presentation to the court at the final hearing. The petitioner shall be given written notice on Form N-429 advising him of the recommendation which will be made to the court and the specific reasons therefor. The notice and a copy of the memorandum shall be sent the petitioner by registered mail, return receipt requested, after review of the recommendation by the Assistant Commissioner, if made, and at least thirty days prior to final hearing. The hearing before the court may be held less than thirty days after such notification, if the petitioner agrees thereto.

PART 332a—OFFICIAL FORMS

1. The list of forms in § 332a.2 *Official forms prescribed for use of clerks of naturalization courts* is amended by deleting the following:

N-400C Supplement to Application to File Petition for Naturalization (for use with editions prior to December 24, 1952)

2. The references to Forms N-492 and N-493 in § 332a.2 are amended to read as follows:

Form No.	*Title and description*
N-492	Recommendation of Assistant Commissioner, Examinations Division, that Petitions be Granted (and order of Court).
N-493	Recommendation of Assistant Commissioner, Examinations Division, that Petitions be Denied (and Order of Court).

PART 334—PETITION FOR NATURALIZATION

Section 334.12 is amended to read as follows:

§ 334.12 *Notification to appear for preliminary investigation and to file petition for naturalization.* Following the submission of the preliminary application, the applicant shall be notified when and where to appear with his witnesses for preliminary investigation, as described in Part 332 of this chapter, and to file the petition for naturalization.

PART 335—PRELIMINARY EXAMINATION ON PETITIONS FOR NATURALIZATION

Sections 335.12 and 335.13 are amended to read as follows:

§ 335.12 *Recommendations of the designated examiner and the Assistant Commissioner Examinations Division; notice.* The designated examiner shall, as soon as practicable after conclusion of the preliminary examination, prepare an appropriate recommendation thereon for the court. If the designated examiner is of the opinion (a) that the petition should be denied, or (b) that the petition should be granted but the facts should be presented to the court, he shall prepare a memorandum containing a summary of the evidence adduced at the examination, findings of fact and conclusions of law, and his recommendation as to the final disposition of the petition by the court, and shall before final hearing, in those cases designated by the Assistant Commissioner, Examinations Division, submit the memorandum to him for his views and recommendation. No evidence dehors the record or evidence that would not be admissible in judicial proceedings under recognized rules of evidence shall be considered in the preparation of the memorandum. The Assistant Commissioner shall return the designated examiner's memorandum, the record, and any memorandum prepared by the Assistant Commissioner containing his own views and recommendation for presentation to the court.

§ 335.13 *Notice of recommendation of designated examiner*—(a) *Recommendation that petition be denied.* When the designated examiner proposes to recommend denial of the petition, the petitioner or his attorney or representative shall be notified thereof, on Form N-425, and furnished a copy of the designated examiner's memorandum. The notice shall be sent by registered mail, with return receipt requested, after any review made by the Assistant Commissioner, Examinations Division, and at least thirty days prior to final hearing. The petitioner shall inform the Service in writing within thirty days from the date of the notice whether he desires a hearing before the court.

(b) *Recommendation that petition be granted.* When the designated examiner proposes to recommend granting of the petition and to present the facts and issues to the court, the petitioner or his attorney or representative shall be notified of the recommendation and furnished a copy of the designated examiner's memorandum prior to the date of the hearing, and after any review made by the Assistant Commissioner.

(c) *Disagreement between recommendations of designated examiner and the Assistant Commissioner, Examinations Division.* In those cases reviewed by the Assistant Commissioner in which his views and recommendation do not agree with those of the designated examiner, the notice required by paragraphs (a) and (b) of this section shall also advise the petitioner of the recommendation of the Assistant Commissioner and that both recommendations will be presented to the court. There shall also be enclosed with such notice a copy of the Assistant Commissioner's memorandum.

PART 336—PROCEEDINGS BEFORE NATURALIZATION COURT

1. The third and fourth sentences of § 336.11 *Notice to Service; personal representation of Government at naturali-*

zation proceedings are amended to read as follows: "Final naturalization hearings or other naturalization proceedings shall, whenever practicable, be attended personally by naturalization examiners or other members of the Service, who shall present to the court the views and recommendations of the designated examiner and the Assistant Commissioner, Examinations Division, as appropriate. In those cases in which the recommendation of the Assistant Commissioner does not agree with that of the designated examiner, a member of the Service other than the person who conducted the preliminary examination shall, whenever practicable, represent the Service before the court."

2. The first sentence of § 336.12 *Written report in lieu of personal representation* is amended by deleting the word "interrogation" and inserting in lieu thereof the word "investigation"

3. The second sentence of paragraph (a) of § 336.13 *Preparation of lists and orders of court for presentation at final hearing* is amended to read as follows: "The Assistant Commissioner's list on Form N-492 or Form N-493, as appropriate, shall be signed by the district director."

4. Section 336.14 is amended to read as follows:

§ 336.14 *Presentation of recommendations of designated examiner and the Assistant Commissioner Examinations Division, at final hearing.* At the final hearing or prior thereto, in addition to the lists prepared under § 336.13, there shall be presented to the court and made a part of the record in the case, the memoranda of the designated examiner and the Assistant Commissioner, Examinations Division, prepared pursuant to provisions of Part 332 or Part 335 of this chapter.

PART 341—CERTIFICATE OF CITIZENSHIP UNDER SECTION 341 OF THE IMMIGRATION AND NATIONALITY ACT

Part 341 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
341.1 Application.

Subpart B—Procedural and Other Nonsubstantive Provisions

341.11 Final disposition.

AUTHORITY: §§ 341.1 and 341.11 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 332, 333, 337, 341, 344, 66 Stat. 252, 254, 258, 263, 264; 8 U. S. C. 1443, 1444, 1448, 1452, 1455.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 341.1 *Application.* A person who claims to have derived United States citizenship through the naturalization of a parent or parents or through the naturalization or citizenship of a husband, or who claims to be a citizen at birth outside the United States under the provisions of any of the statutes or acts specified in section 341 of the act, may apply for a certificate of citizenship on Form N-600.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

§ 341.11 *Final disposition*—(a) *Issuance of certificate.* If the district director grants the application, he shall issue the certificate on Form N-560. If the applicant has assumed, or is known by, a name other than his true name, but has not changed his name in accordance with the law of the jurisdiction where he assumed it, the certificate of citizenship shall be issued in the applicant's true name followed by the words "also known as" followed by the assumed name, but in such case the applicant shall be required to sign only his true name on the certificate and on the photographs submitted with his application. The certificate shall be signed by the applicant unless he is a child unable to sign his name, in which case the certificate shall be signed by the parent or guardian, and the signature shall read "(Insert name of parent or guardian) in behalf of (insert name of child)" The applicant shall, unless he is too young to understand the meaning thereof, take and subscribe to, before a member of the Service, the oath of renunciation and allegiance prescribed by Part 337 of this chapter. Thereafter personal delivery of the original of the certificate shall be made to the applicant, or to his parent or guardian, who shall sign a receipt therefor.

(b) *Application denied.* If the district director denies the application, the applicant shall be notified of the reasons therefor and of his right to appeal within 10 days from the date of receipt of such notification in accordance with the provisions of Part 7 of this chapter.

PART 341a—CERTIFICATE OF CITIZENSHIP—HAWAIIAN ISLANDS

Part 341a is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
341a.1 Application.
341a.2 Effect of certificate.
341a.3 Improper use of certificate.

Subpart B—Procedural and Other Nonsubstantive Provisions

341a.11 Disposition of application.
341a.21 Certificate lost, mutilated or destroyed.

AUTHORITY: §§ 341a.1 to 341a.21 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply Title V, 65 Stat. 290, secs. 332, 333, 343, 66 Stat. 252, 253, 264; 5 U. S. C. 140, 8 U. S. C. 1443, 1444, 1454.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 341a.1 *Application.* A citizen of the United States who is a bona fide resident of Hawaii, who intends to depart temporarily from that territory, and who desires to establish his United States citizenship for the purpose of facilitating his readmission to the United States, may apply for a Certificate of Citizenship—Hawaiian Islands on Form N-108.

§ 341a.2 *Effect of certificate.* Certificates of Citizenship—Hawaiian Islands, issued pursuant to this part, may be presented to an immigration officer at any port of entry as evidence to prove United States citizenship. The certificate shall not be required to be surrendered to the immigration officer, but may be retained by the proper holder thereof.

§ 341a.3 *Improper use of certificate.* Whenever it is ascertained that a Certificate of Citizenship—Hawaiian Islands is in the possession of a person to whom it was not issued, the certificate shall be taken up and forwarded with a report of the circumstances to the officer in charge at Honolulu, T. H., by the district director having administrative jurisdiction over the place where the certificate was presented. No appeal shall lie from any action taken under this section.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

§ 341a.11 *Disposition of application*—(a) *Issuance of certificate; delivery.* If the district director grants the application, he shall issue the certificate on Form N-109. The original certificate shall be delivered personally to the applicant, and the duplicate filed in the office of the officer in charge at Honolulu, T. H.

(b) *Application denied.* If the district director denied the application, the applicant shall be notified of the reasons therefor and of his right to appeal within 10 days from the date of receipt of such notification in accordance with the provisions of Part 7 of this chapter.

§ 341a.21 *Certificate lost, mutilated or destroyed.* A United States citizen whose Certificate of Citizenship—Hawaiian Islands has been lost, mutilated or destroyed may apply for a new certificate in lieu thereof. The application shall be made on Form N-108 and submitted to the officer in charge, Honolulu, T. H., in accordance with the instructions contained therein. The application shall be disposed of in accordance with the provisions of § 341a.11.

PART 343—CERTIFICATE OF NATURALIZATION OR REPATRIATION; PERSONS WHO RESUMED CITIZENSHIP UNDER SECTION 323 OF THE NATIONALITY ACT OF 1940, AS AMENDED, OR SECTION 4 OF THE ACT OF JUNE 29, 1906

Part 343 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
343.1 Application.

Subpart B—Procedural and Other Nonsubstantive Provisions

343.11 Disposition of application.

AUTHORITY: §§ 343.1 and 343.11 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 332, 343, 344, 405, 66 Stat. 252, 263, 264, 280; 8 U. S. C. 1443, 1454, 1455, 1101.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 343.1 *Application.* A person who lost citizenship of the United States incidental to service in one of the allied armies during World War I or II, or by voting in a political election in a country not at war with the United States during World War II, and who was naturalized under the provisions of section 323 of the Nationality Act of 1940, as amended, or a person who, before January 13, 1941,

resumed United States citizenship under the twelfth subdivision of section 4 of the act of June 29, 1906, may obtain a certificate evidencing such citizenship by making application therefor on Form N-580.

SUBPART B—PROCEDURAL AND OTHER NON-SUBSTANTIVE PROVISIONS

§ 343.11 *Disposition of application*—(a) *Issuance of certificate; delivery.* If it shall appear to the satisfaction of the district director that the applicant is a citizen, and that he has been naturalized or repatriated as claimed, a certificate of naturalization on Form N-582 or a certificate of repatriation on Form N-581 shall be issued by the district director and the original delivered in person, in the United States only, upon his signed receipt therefor.

(b) *Application denied.* If the district director denies the application, the applicant shall be notified of the reasons therefor and of his right to appeal within 10 days from the date of receipt of such notification in accordance with the provisions of Part 7 of this chapter.

PART 343a—NATURALIZATION AND CITIZENSHIP PAPERS LOST, MUTILATED, OR DESTROYED; NEW CERTIFICATE IN CHANGED NAME; CERTIFIED COPY OF REPATRIATION PROCEEDINGS

Part 343a is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
343a.1 Applications for replacement of or for new naturalization or citizenship paper.

Subpart B—Procedural and Other Nonsubstantive Provisions

343a.11 Disposition of application.

AUTHORITY: §§ 343a.1 and 343a.11 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 324, 332, 343, 344, 405, 66 Stat. 247, 252, 264, 265, 280; 8 U. S. C. 1435, 1443, 1454, 1455, 1101.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 343a.1 *Applications for replacement of or for new naturalization or citizenship paper*—(a) *Lost, mutilated, or destroyed naturalization papers.* A person whose declaration of intention, certificate of naturalization, citizenship, or repatriation, or whose certified copy of proceedings under the act of June 25, 1936, as amended, or under section 317 (b) of the Nationality Act of 1940, or under section 324 (c) of the Immigration and Nationality Act, has been lost, mutilated, or destroyed, may apply on Form N-565 for a new paper in lieu thereof.

(b) *New certificate in changed name.* A naturalized citizen whose name has been changed after naturalization by order of court or by marriage, may apply on Form N-565 for a new certificate of naturalization, or of citizenship, in the changed name.

SUBPART B—PROCEDURAL AND OTHER NON-SUBSTANTIVE PROVISIONS

§ 343a.11 *Disposition of application*—(a) *New certificate issued.* If an application for a new certificate of naturalization, citizenship, or repatriation is approved, the new certificate shall be issued by the district director and the original delivered in person upon the applicant's signed receipt therefor. The new certificate shall be numbered to correspond to the number of the paper which it replaces. Certificates issued to evidence naturalization which occurred prior to September 27, 1906, shall be consecutively numbered, the number in each instance being preceded by the letters "OL" New certificates issued under this part shall be on the following forms: Form N-570 to replace a certificate of naturalization or repatriation, and Form N-561 to replace a certificate of citizenship issued by the Service. When a new certificate of naturalization is issued in a changed name, the district director shall notify the clerk of the naturalization court on Form N-240 of the action taken.

(b) *New declarations issued.* If an application for a new declaration of intention is approved, the new declaration of intention shall be issued by the district director on Form N-321 or Form N-325 and the original delivered to the applicant upon his signed receipt therefor, the duplicate being retained in the declarant's Service file.

(c) *New certified copy of repatriation proceedings issued.* If an application for a new certified copy of the proceedings under the act of June 25, 1936, as amended, or under section 317 (b) of the Nationality Act of 1940, or under section 324 (c) of the Immigration and Nationality Act is approved, there shall be issued by the district director a certified, positive photocopy of the record of the proceedings filed in the Central Office, whether such record be a duplicate of the court proceedings or a copy of the proceedings conducted at an embassy, legation, or consulate. If subsequent to the naturalization or repatriation the applicant's name has been changed by marriage, and if appropriate documentary evidence of such change is submitted with the application, the certification of the positive photocopy shall show both the name in which the proceedings were had and the changed name. The new certified copy shall be personally delivered to the applicant, who shall sign a receipt therefor.

(d) *Application denied.* If the district director denies the application, the applicant shall be notified of the reasons therefor and of his right to appeal within 10 days from the date of receipt of such notification in accordance with the provisions of Part 7 of this chapter.

PART 343b—SPECIAL CERTIFICATE OF NATURALIZATION FOR RECOGNITION BY A FOREIGN STATE

Part 343b is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
343b.1 Application.

Subpart B—Procedural and Other Nonsubstantive Provisions

343b.11 Disposition of application.

AUTHORITY: §§ 343b.1 and 343b.11 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 332, 343, 344, 66 Stat. 242, 264; 8 U. S. C. 1443, 1454, 1455.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 343b.1 *Application.* A naturalized citizen who desires to obtain recognition as a citizen of the United States by a foreign state shall submit an application on Form N-577.

SUBPART B—PROCEDURAL AND OTHER NON-SUBSTANTIVE PROVISIONS

§ 343b.11 *Disposition of application*—(a) *Issuance of certificate.* If the application is granted, a special certificate of naturalization on Form N-578 shall be issued by the district director and forwarded to the Secretary of State for transmission to the proper authority of the foreign state.

(b) *Application denied.* If the district director denies the application, the applicant shall be notified of the reasons therefor and of his right to appeal within 10 days from the date of receipt of such notification in accordance with the provisions of Part 7 of this chapter.

PART 343c—CERTIFICATIONS FROM RECORDS

Part 343c is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
343c.1 Application for certification of naturalization record of court or certificate of naturalization or citizenship.

Subpart B—Procedural and Other Nonsubstantive Provisions [Reserved]

SUBPART A—SUBSTANTIVE PROVISIONS

§ 343c.1 *Application for certification of naturalization record of court or certificate of naturalization or citizenship.* An application for certification of a naturalization record of any court, or of any part thereof, or of any certificate of naturalization, repatriation, or citizenship, under section 343 (e) of the act for use in complying with any statute, Federal or State, or in any judicial proceeding, shall be made on Form N-585.

SUBPART B—PROCEDURAL AND OTHER NON-SUBSTANTIVE PROVISIONS [RESERVED]

(Sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interprets or applies secs. 332, 333, 343, 344, 66 Stat. 252, 253, 263, 264; 8 U. S. C. 1443, 1444, 1454, 1455)

PART 402—SPECIAL CLASSES OF PERSONS WHO MAY BE NATURALIZED: PERSONS WHO LOST UNITED STATES CITIZENSHIP BY VOTING IN ITALY

Part 402 is revoked.

PART 450—FORMS

1. The list of forms in § 450.1 *Prescribed forms* is amended by deleting the following:

I-187	Resident Alien's Border Crossing Identification Card.
I-290D	Notice of Certification (to Assistant Commissioner).
N-400C	Supplement to Application to File Petition for Naturalization (for use with editions prior to December 24, 1952).
N-640	Oath of Allegiance.

2. The references to Forms I–290B, I–290C, I–290F N–492, and N–493 in § 450.1 are amended to read as follows:

Form No.	*Title and description*
I–290B	Notice of Appeal (to Regional Commissioner).
I–290C	Notice of Certification.
I–290F	Notice to Alien of Decision and Order (Appealable to Regional Commissioner).
N–492	Recommendation of Assistant Commissioner, Examinations Division, that Petitions be Granted (and Order of Court).
N–493	Recommendation of Assistant Commissioner, Examinations Division, that Petitions be Denied (and Order of Court).

PART 481—ADJUSTMENT OF STATUS OF NONIMMIGRANT TO THAT OF A PERSON ADMITTED FOR PERMANENT RESIDENCE IN ACCORDANCE WITH THE REFUGEE RELIEF ACT OF 1953, AS AMENDED

Part 481 is amended to read as follows:

Subpart A—Substantive Provisions

Sec.
481.1 Application.
481.2 Who may apply.
481.3 Admissibility into United States.
481.4 Medical examination.

Subpart B—Procedural and Other Nonsubstantive Provisions

481.11 Disposition of case.

AUTHORITY: §§ 481.1 to 481.11 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply sec. 6, 67 Stat. 403; 50 U. S. C. App. 1971d; secs. 101, 234, 247, 66 Stat. 166, 198, 218; 8 U. S. C. 1101, 1224, 1257.

SUBPART A—SUBSTANTIVE PROVISIONS

§ 481.1 *Application.* An application for adjustment of status under section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403, 68 Stat. 1044; 50 U. S. C. App. 1971d) shall be submitted in accordance with the provisions of this chapter and that act on Form I–233.

§ 481.2 *Who may apply.* Any alien (including one admitted as a student under section 4 (e) of the Immigration Act of 1924) who entered the United States in good faith as a nonimmigrant and who believes that he meets the eligibility requirements set forth in section 6 of the Refugee Relief Act of 1953, as amended, may apply for adjustment of status: *Provided,* That an alien who (a) has a nonimmigrant status under paragraph (15) (A) (15) (E) or (15) (G) of section 101 (a) of the Immigration and Nationality Act, or (b) has an occupational status which would, if he were seeking admission to the United States, entitle him to a nonimmigrant status under any of such paragraphs of section 101 (a) of the Immigration and Nationality Act, shall not be eligible to apply for adjustment of status without first executing and submitting with his application the written waiver required by section 247 (b) of the Immigration and Nationality Act and Part 247 of this chapter.

§ 481.3 *Admissibility into United States.* The determination of whether an alien is qualified under the Immigration and Nationality Act (66 Stat. 163; 8 U. S. C. 1101) except with respect to quota shall be predicated upon his admissibility into the United States under the Immigration and Nationality Act and this chapter, but he shall not be required to submit a passport or visa.

§ 481.4 *Medical examination.* The applicant shall be requested to submit to an examination by a medical officer of the United States Public Health Service, whose report setting forth the findings of the mental and physical condition of the applicant shall be incorporated into the record. Any applicant certified under paragraph (1) (2) (3), (4) or (5) of section 212 (a) of the Immigration and Nationality Act may appeal to a board of medical officers of the United States Public Health Service as provided in section 234 of the Immigration and Nationality Act and § 236.13 (c) of this chapter.

SUBPART B—PROCEDURAL AND OTHER NONSUBSTANTIVE PROVISIONS

§ 481.11 *Disposition of case.*—(a) *Record and recommendation.* Upon completion of the examination, the immigration officer shall prepare a memorandum of his findings as to each of the essential facts prescribed by section 6 of the Refugee Relief Act of 1953, as amended, and § 481.2, together with his recommendation. The application, record, supporting documents, and memorandum of the immigration officer shall be transmitted to the regional commissioner who shall approve or disapprove the recommendation of the immigration officer. Upon notification to the applicant or his attorney or representative that adjustment has been approved by concurrent resolution of Congress, the applicant shall be required to pay a visa fee of $25.

(b) *Application denied, further action.* If the immigration officer recommends denial of the application, a copy of his memorandum shall be furnished to the applicant or his attorney or representative pursuant to §§ 292.11 and 292.12 of this chapter. The district director or officer in charge shall allow the applicant or his attorney or representative a reasonable time (not to exceed 10 days, except on a showing of good cause that more time is necessary) in which to file exceptions thereto and to submit a brief, if desired. If the regional commissioner approves the recommendation of the immigration officer, a decision to that effect will be prepared and a copy of the regional commissioner's decision shall be served upon the applicant or his attorney or representative pursuant to § 292.12 of this chapter, and such further action shall be authorized to be taken as is necessary under existing law and regulations to effect the applicant's departure from the United States.

This order shall become effective on January 3, 1955. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order, other than those that relate to interpretative rules, relate to matters of agency management or procedure.

(Sec. 103, 66 Stat. 173; 8 U. S. C. 1103)

Dated: December 20, 1954.

J. M. SWING,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 54–10218; Filed, Dec. 23, 1954; 8:50 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 51—CANNED VEGETABLES; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY; AND FILL OF CONTAINER

PART 52—CANNED VEGETABLES OTHER THAN THOSE SPECIFICALLY REGULATED; DEFINITIONS AND STANDARDS OF IDENTITY

DEFINITIONS AND STANDARDS OF IDENTITY FOR CERTAIN SPECIFIED CANNED VEGETABLES; EFFECTIVE DATE

In the matter of amending the definitions and standards of identity for the following canned vegetables: Peas, green beans, wax beans, corn (sweet corn, sugar corn), and field corn (Part 51) and artichokes, asparagus, shelled beans, bean sprouts, lima beans or butter beans, beets, beet greens, broccoli, brussels sprouts, cabbage, carrots, cauliflower, celery collards, dandelion greens, kale, mushrooms, mustard greens, okra, onions, parsnips, black-eye peas or black-eyed peas, field peas, green sweet peppers, red sweet peppers, pimientos or pimentos, potatoes, sweetpotatoes, rutabagas, salsify, spinach, Swiss chard, truffles, turnip greens, turnips (Part 52)

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 401, 52 Stat. 1046, as amended by 68 Stat. 54; 21 U. S. C. 341), notice is hereby given that no objections were filed to the order published in the FEDERAL REGISTER of November 6, 1954 (19 F. R. 7228), amending the definitions and standards of identity for the following canned vegetables: Peas, green beans, wax beans, corn (sweet corn, sugar corn), and field corn (Part 51) and artichokes, asparagus, shelled beans, bean sprouts, lima beans or butter beans, beets, beet greens, broccoli, brussels sprouts, cabbage, carrots, cauliflower, celery, collards, dandelion greens, kale, mushrooms, mustard greens, okra, onions, parsnips, black-eye peas or black-eyed peas, field peas, green sweet peppers, red sweet peppers, pimientos or pimentos, potatoes, sweetpotatoes, rutabagas, salsify, spinach, Swiss chard, truffles, turnip greens, turnips (Part 52) (21 CFR 51.0, 51.10, 51.15, 51.20, 51.30, 52.990) The amendments promulgated by that order will become effective January 5, 1955.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 401, 52 Stat. 1046, as amended 68 Stat. 54; 21 U. S. C. 341)

Dated: December 20, 1954.

[SEAL] NELSON A. ROCKEFELLER,
Acting Secretary.

[F. R. Doc. 54–10204; Filed, Dec. 23, 1954; 8:47 a. m.]

PART 141e—BACITRACIN AND BACITRACIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146e—CERTIFICATION OF BACITRACIN AND BACITRACIN-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Secretary by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended by 61 Stat. 11, 63 Stat. 409, 67 Stat. 389; sec. 701, 52 Stat. 1055; 21 U. S. C. 357, 371, 67 Stat. 18) the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR, 1953 Supp., Part 141e; 19 F. R. 1141) and certification of antibiotic and antibiotic-containing drugs (21 CFR, 1953 Supp., Parts 146, 146e; 19 F. R. 974, 1141, 1461, 1541, 1542, 1882, 2656, 4000, 4903, 5053, 5337, 7602, 7997) are amended as indicated below.

1. Part 141e is amended by adding the following new section:

§ 141e.424 *Bacitracin-neomycin-polymyxin with vasoconstrictor*—(a) *Potency.* Prepare the drug as directed in its labeling and proceed as follows:

(1) *Bacitracin content.* Proceed as directed in § 141e.401 (a) Its content of bacitracin is satisfactory if it contains not less than 85 percent of the number of units per milliliter that it is represented to contain.

(2) *Neomycin content.* Proceed as directed in § 141e.410 (b) (1) Its content of neomycin is satisfactory if it contains not less than 85 percent of the number of milligrams per milliliter that it is represented to contain.

(3) *Polymyxin B content.* Proceed as directed in § 141b.112 (b) (1) of this chapter, except that:

(i) Calculate from the quantity of neomycin found (using the method prescribed in subparagraph (2) of this paragraph) (the quantity of neomycin that would be present when the sample is diluted to contain 100 units of polymyxin B (labeled potency) per milliliter. Prepare the polymyxin standard curve by adding this calculated quantity of neomycin to each concentration of polymyxin used for the curve. Use this standard curve to calculate the polymyxin content of the sample.

(ii) If the sample contains sodium ethylmercurithiosalicylate, incorporate 0.03 percent thioglycolic acid in the seed layer just before preparing the plates.

(iii) Its content of polymyxin B is satisfactory if it contains not less than 85 percent of the number of units per milliliter that it is represented to contain.

(b) *Moisture (dry components of the drug)* Proceed as directed in § 141a.5 (a) of this chapter.

2. Section 146.26 is revised to read as set forth below. This amendment effects the addition of "animal feed containing tetracycline" in the section title and insertion of the word "tetracycline" in the introduction to the section. The revision is effected to provide for editorial changes and renumbering incident to further expansion of the section.

§ 146.26 *Animal feed containing penicillin, animal feed containing streptomycin; animal feed containing dihydrostreptomycin, animal feed containing chlortetracycline; animal feed containing tetracycline; animal feed containing chloramphenicol; animal feed containing bacitracin; animal feed containing bacitracin methylene disalicylate.* Animal feed containing penicillin, streptomycin, dihydrostreptomycin, chlortetracycline, tetracycline, chloramphenicol, bacitracin, or bacitracin methylene disalicylate, or any combination of two or more of these, with or without added suitable vitamin substances, shall be exempt from the requirements of sections 502 (1) and 507 of the act under the conditions set forth in any one of the following paragraphs of this section:

(a) It is intended for use solely as an animal feeding supplement, it is conspicuously so labeled, and it is manufactured with or without one, but only one, of the following ingredients in a quantity, by weight of feed, as hereinafter indicated:

(1) Arsanilic acid: Not less than 0.005 percent and not more than 0.01 percent.

(2) Sodium arsanilate: Not less than 0.005 percent and not more than 0.01 percent.

(3) 3-Nitro-4-hydroxyphenol arsonic acid: Not less than 0.0025 percent and not more than 0.0075 percent.

(b) It is intended for use in the conditions set forth in any one of the following subparagraphs of this paragraph:

(1) It is intended for use solely in the prevention of coccidiosis outbreaks in poultry flocks, its labeling bears adequate directions and warnings for such use, and it contains one, but only one, of the following ingredients in a quantity, by weight of feed, as hereinafter indicated:

(i) Sulfaquinoxaline: Not less than 0.0125 percent and not more than 0.025 percent.

(ii) Nitrophenide: Not less than 0.0125 percent and not more than 0.025 percent.

(iii) Nitrofurazone: 0.0056 percent.

(iv) N¹-acetyl-N¹-(4-nitrophenyl) sulfanilamide 0.03 percent and 3-nitro-4-hydroxyphenylarsonic acid 0.009 percent.

(2) It is intended for use solely in the control of coccidiosis outbreaks in poultry flocks, its labeling bears adequate directions and warnings for such use, and it contains one, but only one, of the following ingredients in a quantity, by weight of feed, as hereinafter indicated:

(i) Sulfaquinoxaline: Not less than 0.033 percent and not more than 0.10 percent.

(ii) Nitrophenide: 0.05 percent.

(iii) Nitrofurazone: 0.0112 percent.

(3) It is intended for use solely in the prevention of outbreaks of histomoniasis ("blackhead") in turkey flocks, its labeling bears adequate directions and warnings for such use, and it contains one, but only one, of the following ingredients in a quantity, by weight of feed, as hereinafter indicated:

(i) 2-Amino-5-nitrothiazole: 0.05 percent.

(ii) 4-Nitrophenylarsonic acid: 0.025 percent.

(iii) Furazolidone: 0.011 percent.

(4) It is intended for use solely in the control of outbreaks of histomoniasis ("blackhead") in turkey flocks, its labeling bears adequate directions and warnings for such use, and it contains 2-amino-5-nitrothiazole in a quantity, by weight of feed, of 0.10 percent.

(5) It is intended for use solely as an anthelmintic for poultry or swine, its labeling bears adequate directions and warnings for such use, and it contains one, but only one, of the following ingredients in a quantity, by weight of feed, as hereinafter indicated:

(i) di-N-Butyl tin dilaurate 0.07 percent, nicotine 0.03 percent, and phenothiazine 0.29 percent.

(ii) Nicotine 0.067 percent, phenothiazine 0.60 percent, and 2,2'dihydroxy-5,5'dichlorodiphenylmethane 0.28 percent.

(iii) Phenothiazine, not less than 0.3 percent and not more than 1.0 percent, and nicotine, not less than 0.03 percent and not more than 0.07 percent.

(iv) Phenothiazine, not less than 0.3 percent and not more than 1.0 percent.

(v) Nicotine, not less than 0.03 percent and not more than 0.07 percent.

(vi) Sodium fluoride 0.3 percent and sodium sulfate 2.0 percent.

(6) It is intended for use solely in the prevention of chronic respiratory disease (air-sac infection) and hexamitiasis in poultry, infectious swine enteritis, and/or calf scours; its labeling bears adequate directions and warnings for such use; and it contains not less than 50 grams of chlortetracycline per ton of feed. When intended for such uses it may also contain oxytetracycline in a quantity not less than 50 grams per ton of feed. If it is intended for use solely in swine, it may contain, in the amounts specified, one of the ingredients prescribed by paragraph (a) of this section.

(7) It is intended for use solely as a treatment for chronic respiratory disease (air-sac infection) sinusitis, nonspecific infectious enteritis, blue comb, mud fever, and hexamitiasis in poultry, and/or infectious swine enteritis; its labeling bears adequate directions and warnings for such use, and it contains not less than 100 grams of chlortetracycline per ton of feed. When intended for such uses it may also contain oxytetracycline in a quantity not less than 100 grams per ton of feed. If it is intended for use solely in poultry, it may contain 0.1 percent of para-aminobenzoic acid or the sodium or potassium salt of para-aminobenzoic acid, or if it is intended for continuation of coccidiosis prevention it shall contain, in the amount specified, one of the ingredients prescribed by subparagraph (1) of this paragraph. If it is intended for use solely in swine, it may contain, in the amounts specified, one of the ingredients prescribed by paragraph (a) of this section.

(8) It is intended for use solely in the prevention of coccidiosis and hexamitiasis outbreaks in turkey flocks, its labeling bears adequate directions and

warnings for such use, and it contains di-*N*-butyl tin dilaurate in a quantity, by weight of feed, of 0.0375 percent.

(9) It is intended for use solely in the prevention of infectious swine enteritis, its labeling bears adequate directions and warnings for such use, and it contains not less than 50 grams of bacitracin activity per ton of feed.

(10) It is intended for use solely as a treatment for infectious swine enteritis, its labeling bears adequate directions and warnings for such use, and it contains not less than 100 grams of bacitracin activity per ton of feed.

(11) It is intended for use solely as a treatment for infectious swine enteritis caused by Salmonella choleraesuis, its labeling bears adequate directions and warnings for such use, and it contains nitrofurazone in a quantity by weight of feed, of 0.056 percent.

(12) It is intended for use solely in the prevention of coccidiosis, chronic respiratory disease (air-sac infection) and hexamitiasis in poultry; its labeling bears adequate directions and warnings for such use; and it contains, in the amount specified, one of the ingredients prescribed by subparagraph (1) of this paragraph and not less than 50 grams of chlortetracycline per ton of feed. When intended for such uses it may also contain oxytetracycline in a quantity not less than 50 grams per ton of feed.

(13) It is intended for use solely in the prevention or treatment of chronic respiratory disease (air-sac infection) and sinusitis in poultry; its labeling bears adequate directions and warnings for such use; and it contains not less than 0.1 percent para-aminobenzoic acid or the sodium or potassium salt of para-aminobenzoic acid.

(14) It is intended solely as an aid in the prevention and control of losses due to low-grade bacterial enteritis in mink; its labeling bears adequate directions and warnings for such use; and it contains not less than 5.7 grams of chlortetracycline, 1.0 gram of bacitracin, and 0.75 gram of penicillin (with or without oxytetracycline) per ton of feed.

(15) It is intended for use solely in the prevention or treatment of fowl typhoid, pullorum, and the paratyphoids in poultry; its labeling bears adequate directions and warnings for such use; and it contains furazolidone in a quantity, by weight of feed, of 0.0055 percent, if intended for the prevention of the diseases in birds older than 2 weeks, or 0.011 percent, if intended for prevention of the diseases in birds younger than 2 weeks, or for the treatment of the diseases.

(16) It is intended for use solely in the prevention of chronic respiratory disease (air-sac infection) hexamitiasis, fowl typhoid, pullorum, and the paratyphoids in poultry; its labeling bears adequate directions and warnings for such uses; it contains not less than 50 grams of chlortetracycline per ton of feed (except that it may contain not less than 25 grams of chlortetracycline per ton of feed if it also contains not less than 25 grams of oxytetracycline per ton of feed) and it contains furazolidone in a quantity, by weight of feed, of 0.0055 percent, if intended for prevention of the diseases in birds older than 2 weeks, or 0.011 percent, if intended for prevention of the diseases in birds younger than 2 weeks.

(17) It is intended for use solely as a treatment for chronic respiratory disease (air-sac infection) sinusitis, nonspecific infectious enteritis, blue comb, mud fever, hexamitiasis, fowl typhoid, pullorum, and the paratyphoids in poultry; its labeling bears adequate directions and warnings for such uses; it contains not less than 100 grams of chlortetracycline per ton of feed (except that the quantity of chlortetracycline may be 50 grams per ton if it also contains 50 grams per ton of oxytetracycline) and it contains furazolidone in a quantity, by weight of feed, of 0.011 percent.

(18) It is intended for use solely in the prevention of chronic respiratory disease (air-sac infection) and blue comb in poultry; its labeling bears adequate directions and warnings for such use; and it contains the equivalent of not less than 60 grams of penicillin G master standard per ton of feed.

(19) It is intended for use solely in the treatment of chronic respiratory disease (air-sac infection) and blue comb in poultry; its labeling bears adequate directions and warnings for such use; and it contains the equivalent of not less than 120 grams of penicillin G master standard per ton of feed.

(20) It is intended for use solely in the prevention of outbreaks of coccidiosis in poultry flocks, and it contains nicarbazin (4,4'-dinitrocarbanilide complex with 2-hydroxy-4,6-dimethylpyrimidine) in a quantity, by weight of feed, of not less than 0.01 percent and not more than 0.02 percent, and there has been submitted to the Commissioner, in triplicate, the information referred to in § 146.7, as well as any additional information necessary to establish the safety and efficacy of the article and to guarantee its identity strength, quality, and purity. The exemption shall expire at the beginning of any act changing the composition or labeling of such drug or the methods used in its manufacturing, processing, or packaging or the facilities and controls used for such manufacturing, processing, or packaging, unless the person who obtained the exemption has submitted to the Commissioner, in triplicate, amended information describing such proposed changes, and such amendment has been accepted by the Commissioner.

(21) It is intended for use solely in the prevention or treatment of chronic respiratory disease (air-sac infection), blue comb, and infectious sinusitis in poultry; its labeling bears adequate directions and warnings for such uses; and it contains, per ton of feed, not less than 100 grams of bacitracin activity, if intended for prevention, and not less than 200 grams of bacitracin activity, if intended for the treatment of these diseases.

(22) It is intended for use solely in the prevention or control of outbreaks of histomoniasis ("blackhead") in turkey flocks, and it contains 2-acetylamino-5-nitrothiazole in a quantity, by weight of feed, of 0.015 percent if intended for the prevention of the disease, or 0.05 percent if intended for the control of the disease, and there has been submitted to the Commissioner, in triplicate, adequate information of the kind described in § 146.7 to establish the safety and efficacy of the article and to guarantee its identity, strength, quality, and purity. The exemption shall expire at the beginning of any act changing the composition of such drug, or the methods used in, and the facilities and controls used for its manufacturing, processing, and packaging, or in its labeling, unless the person who obtained the exemption has submitted to the Commissioner, in triplicate, amended information that describes such proposed changes, and such amendment has been accepted by the Commissioner.

3. Part 146e is amended by adding the following new section:

§ 146e.424 *Bacitracin-neomycin-polymyxin with vasoconstrictor; bacitracin-neomycin-polymyxin with* _____ *(the blank being filled in with the common or usual name of the vasoconstrictor)* (a) Bacitracin-neomycin-polymyxin with vasoconstrictor conforms to all requirements and is subject to all procedures prescribed by § 146e.414 for bacitracin-neomycin with vasoconstrictor, except that:

(1) When prepared as directed in its labeling, each milliliter shall contain not less than 50 units of bacitracin 3.5 milligrams of neomycin, and 1,000 units of polymyxin B. The polymyxin B used conforms to the requirements prescribed for polymyxin B by § 146b.107 (a) of this chapter.

(2) It may contain the enzyme hyaluronidase.

(3) It may be a packaged combination of one immediate container of dry components of the drug and one immediate container of a solution of components of the drug; but in no case shall bacitracin or hyaluronidase be a component of such solution of the packaged combination.

(4) The moisture content of the dry components of the drug is not more than 2.5 percent.

(5) In addition to the labeling prescribed by § 146e.414 (a) (2), each package shall bear on the outside wrapper or container and the immediate container the number of units of polymyxin B in each container, and if it contains hyaluronidase the quantity of such ingredient in each container.

(6) On the label or labeling, if it contains hyaluronidase, after the name "bacitracin - neomycin - polymyxin with vasoconstrictor," wherever it appears, the words "and hyaluronidase," shall appear in juxtaposition with such name.

(7) In addition to complying with the requirements of § 146e.414 (a) (3), a person who requests certification of a batch shall submit with his request a statement showing the number of units of polymyxin B in each immediate container, the batch mark, and (unless it was previously submitted) the results

and the date of the latest tests and assays of the polymyxin used in making the batch for potency and toxicity. He shall also submit in connection with his request a sample consisting of not less than 7 packages of the bacitracin- neomycin-polymyxin with vasoconstrictor, and (unless it was previously submitted) a sample consisting of 5 packages containing approximately equal portions of not less than 0.5 gram each of the polymyxin used in making the batch.

(b) The fee for the services rendered with respect to each immediate container in the sample of polymyxin submitted in accordance with the requirements prescribed therefor by this section shall be $4.00.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the aforesaid amendments.

This order shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Dated: December 20, 1954.

[SEAL] NELSON A. ROCKEFELLER,
Acting Secretary.

[F. R. Doc. 54-10205; Filed, Dec. 23, 1954; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

Subchapter B—Renegotiation Board Regulations Under the 1951 Act

PART 1490—BROKERS AND MANUFACTURERS' AGENTS

LIMITED EXEMPTION OF SUBCONTRACTS FOR ARCHITECTURAL, DESIGN OR ENGINEERING SERVICES

This part is amended by deleting in its entirety the second sentence of § 1490.3 *Limited exemption of subcontracts for architectural, design or engineering services* and inserting in lieu thereof the following: "Such exemption is limited to subcontracts 'for architectural, design or engineering services, no part of which services is or was related to the effecting or procuring of a contract with a Department or a subcontract, if the aggregate renegotiable business of the subcontractor holding such subcontracts and all persons under control of or controlling or under common control with such subcontractor during a fiscal year of 12 months is not more than $250,000, in the case of a fiscal year ending before June 30, 1953, or $500,000, in the case of a fiscal year ending on or after June 30, 1953, or, during a fiscal year which is a fractional part of 12 months, is not more than the same fractional part of $250,000 or $500,000, as the case may be' (see § 1455.3 (b) (6) of this subchapter) "

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated: December 21, 1954.

FRANK L. ROBERTS,
Chairman.

[F. R. Doc. 54-10220; Filed, Dec. 23, 1954; 8:51 a. m.]

Chapter XVI—Selective Service System

[Amdt. 57]

PART 1613—REGISTRATION PROCEDURES

ACCOMPLISHMENT OF REGISTRATION

The Selective Service Regulations are hereby amended as follows:

1. Section 1613.15 is revoked.

2. Section 1613.40 is amended to read as follows:

§ 1613.40 *Disposition of registration cards and tally sheets.* At the close of each day of registration the chief registrar at each registration place shall deliver or mail the Tally Sheets (SSS Form No. 4) and all completed Registration Cards (SSS Form No. 1) to the office of the local board.

3. Paragraphs (b) (c) and (d) of § 1613.41 are amended to read as follows:

§ 1613.41 *Manner of registration of inmate of institution.* * * *

(b) In filling out the Registration Card (SSS Form No. 1), the superintendent, warden, or other designated person, acting in his capacity as registrar, shall be careful not to indicate that the inmate was registered in an institution or by an official thereof. If the inmate does not have a permanent place of residence or an address where he intends to be or where he can be located, the address of the local board of the area in which the institution is located shall be entered on line 2 of the Registration Card (SSS Form No. 1). Under no circumstances shall the address of the institution be given as the place of residence or as the mailing address of the inmate who is being registered.

(c) The superintendent, warden, or other designated person acting as registrar shall then explain to the registrant his obligations under title I of the Universal Military Training and Service Act, as amended.

(d) The superintendent, warden, or other designated person shall mail the Registration Card (SSS Form No. 1) of a person registered under the provisions of this section to the local board having jurisdiction over the area in which the institution is located.

4. The following new section is added immediately following § 1613.43:

§1613.43a *Preparation and mailing of registration certificate.* Immediately after the local board which has jurisdiction of the registrant has assigned him a selective service number, the local board shall prepare the Registration Certificate (SSS Form No. 2) entering thereon the registrant's selective service number. The local board shall mail the Registration Certificate (SSS Form No. 2) to the registrant not later than five days after the registrant has been assigned a selective service number.

(Sec. 10, 62 Stat. 618, as amended; 50 U. S. C. App. 460; E. O. 9979, July 20, 1948, 13 F. R. 4177; 3 CFR, 1948 Supp.)

The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

[SEAL] LEWIS B. HERSHEY,
Director of Selective Service.

DECEMBER 21, 1954.

[F. R. Doc. 54-10215; Filed, Dec. 23, 1954; 8:50 a. m.]

[Amdt. 53]

PART 1617—REGISTRATION CERTIFICATES

EXCHANGE OF CERTIFICATE

Section 1617.13 of the Selective Service Regulations is revoked.

(Sec. 10, 62 Stat. 618, as amended; 50 U. S. C. App. 460; E. O. 9979, July 20, 1948, 13 F. R. 4177; 3 CFR, 1948 Supp.)

The foregoing revocation shall be effective immediately upon the filing hereof with the Division of the Federal Register.

[SEAL] LEWIS B. HERSHEY,
Director of Selective Service.

DECEMBER 21, 1954.

[F. R. Doc. 54-10216; Filed, Dec. 23, 1954; 8:50 a. m.]

[Amdt. 59]

PART 1621—PREPARATION FOR CLASSIFICATION

SELECTIVE SERVICE NUMBERS

Section 1621.4 of the Selective Service Regulations is amended to read as follows:

§ 1621.4 *Placing selective service numbers on registration cards and certificates.* (a) Selective service numbers determined in the manner prescribed in § 1621.2 shall be assigned to registrants as they register or as their Registration Cards (SSS Form No. 1) are received and the next number in order for registrants of each year of birth shall be used each time, except that selective service numbers shall not be assigned to 18-year-old registrants until the 10th day of the month next following the month in which they attained the age of 18 years unless such a registrant has volunteered for induction. Selective service numbers shall then be entered on the Registration Cards (SSS Form No. 1) and on

the Registration Certificates (SSS Form No. 2)

(b) Each Registration Card (SSS Form No. 1) and Registration Certificate (SSS Form No. 2) shall have one and only one selective service number. No letter, fraction, or other suffix shall be used after the number. Each selective service number shall be used but once as it is applicable to one registrant only and to no other. Great care shall be exercised in entering the selective service number on all forms where it is required, to insure that each element of the selective service number is placed in its proper block, where provided, or is separated by a hyphen.

(Sec. 10, 62 Stat. 618, as amended; 50 U. S. C. App. 460; E. O. 9979, July 20, 1948, 13 F. R. 4177; 3 CFR, 1948 Supp.)

The foregoing amendment to the Selective Service Regulations shall be effective immediately upon the filing hereof with the Division of the Federal Register.

[SEAL] LEWIS B. HERSHEY,
Director of Selective Service.

DECEMBER 21, 1954.

[F. R. Doc. 54-10217; Filed, Dec. 23, 1954; 8:50 a. m.]

TITLE 41—PUBLIC CONTRACTS

Chapter II—Division of Public Contracts, Department of Labor

WALSH-HEALEY PUBLIC CONTRACTS ACT RULINGS AND INTERPRETATIONS NO. 3

COMPLIANCE WITH STATE INSPECTION LAWS

Section 49 of Walsh-Healey Public Contracts Act Rulings and Interpretations No. 3, is hereby amended to read as follows:

SEC. 49. *Compliance with State inspection laws.* (a) Compliance with the safety, sanitary, and factory inspection laws of the State in which the work or part thereof is to be performed is prima facie evidence of compliance with subsection 1 (e) of the act. However, in determining compliance with subsection 1 (e) respecting insanitary, hazardous or dangerous surroundings or working conditions in coal mine operations, the Secretary of Labor will be guided (1) by the Federal Mine Safety Code for Bituminous Coal and Lignite Mines of the United States, Part I—Underground Mines and Part II—Strip Mines, as published by the Bureau of Mines, United States Department of Interior; and (2) by the health and safety law(s) or code(s) for coal mines in the State in which the mine is located, if such standards are higher.

Signed at Washington, D. C., this 3d day of December 1954.

WM. R. MCCOMB,
Administrator Wage and Hour and Public Contracts Division.

[F. R. Doc. 54-10196; Filed, Dec. 23, 1954; 8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1891]

PART 194—POTASSIUM PERMITS AND LEASES

REVISION OF PART

This part is hereby completely revised as follows, effective 60 days after date of issuance hereof by the Secretary of the Interior:

GENERAL

POTASSIUM PROSPECTING PERMITS

POTASSIUM LEASES

TRANSFER OF PERMITS AND LEASES

AUTHORITY: §§ 194.1 to 194.25 issued under sec. 32, 41 Stat. 450; 30 U. S. C. 189. Interpret or apply secs. 1–7, 44 Stat. 1057, 1058, as amended, 47 Stat. 151, 60 Stat. 957, 62 Stat. 292; 30 U. S. C. 281–287.

GENERAL

§ 194.1 *Statutory authority.* (a) Sections 1 to 7 of the Act of February 7, 1927, as amended (44 Stat. 1057, 30 U. S. C. secs. 281–287) authorize the Secretary of the Interior to:

(1) Issue permits to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of potassium in public lands or in public lands disposed of with a reservation of such deposits to the United States.

(2) Lease such lands containing valuable deposits of such substances.

(b) As authorized in section 4 of the act, potassium leases may also provide for the development of sodium, magnesium, aluminum, or calcium deposits, in any of the forms described in said section, associated with the potassium deposits.

§ 194.2 *Definitions.* The following terms, as used in this part or in any lease or permit approved under the regulations in this part, shall have the meanings here given:

(a) *Secretary.* The Secretary of the Interior or any person duly authorized to exercise the powers vested in that officer.

(b) *Director* The Director of the Bureau of Land Management or any person duly authorized to exercise the powers vested in that officer.

(c) *Land office, or appropriate land office.* The land office of the Bureau of Land Management for the State or part of State or Territory in which the lands covered by a permit, lease, or application therefor, are situated; and as to the States for which there is no land office, the Bureau of Land Management, Washington 25, D. C.[1]

(d) *Manager or Land Office Manager* The manager of the appropriate land office as defined in paragraph (c) of this section, and, as to the Washington, D. C. office, the Supervisor, Eastern States Office, Bureau of Land Management.

(e) *Mining Supervisor* The Regional Mining Supervisor of the Geological Survey for the region in which the lands under permit or lease are situated.

§ 194.3 *Area and limitation on holdings.* (a) Except where the rule of approximation applies, a lease or permit may not include over 2,560 acres in reasonably compact form entirely within a six-mile square. No person, association, or corporation may hold, either directly or indirectly, in any one State, permits for an area that exceeds in the aggregate 51,200 acres; and, except as hereinafter provided, leases for an area that exceeds in the aggregate 15,360 acres.

(b) Any person, association, or corporation holding acreage approximating 15,360 acres of Federal land in a single mining unit and refining development, upon a showing that the leased deposits extend into adjoining Federal lands may, upon application to be filed in the land office be granted a lease for an additional acreage of not to exceed 2,560 acres if the Manager, after consultation with the Mining Supervisor, shall determine that such increase will result in conservation of natural resources and will provide for the most economical and efficient recovery as a single unit of a minable deposit without waste. In applying this subsection, fringe acreage in an area not of interest to more than one operator, and lacking sufficient reserves of potassium deposits to warrant independent development as a single mining unit, may be leased noncompetitively upon a bonus payment of not less than $1.00 an acre, and a delayed payment of not less than 15 cents a ton of ore mined in addition to the base royalty. If, however, the fringe acreage has sufficient reserves to warrant independent development, or if, following appropriate inquiry of operators in the area and consultation with the Mining Supervisor, the Manager determines that there is competitive interest therein, the lands will be offered competitively under § 194.18.

[1] The land office for North and South Dakota is at Billings, Montana; for Nebraska and Kansas, at Cheyenne, Wyoming; and for Oklahoma, at Santa Fe, New Mexico.

(c) The Manager, after consultation with the Mining Supervisor, may, upon a finding that the granting of such leases would be in the public interest, grant to any such lessee, leases for additional acreage not to exceed 10,240 acres in all as a separate mining unit, and may include in such additional leases a provision requiring the construction of additional refining facilities.

§ 194.4 *Qualifications of applicant.* (a) As used in this section, "applicant" means an applicant for a permit under § 194.8, for a lease under § 194.13, the successful bidder to whom a lease is awarded under § 194.20, or an assignee or transferee under § 194.24.

(b) Permits and leases may be issued to citizens of the United States, associations of citizens, and corporations organized under the laws of the United States or of any State or Territory thereof.

(c) All applicants must file with the manager statements and evidence as follows (unless previously filed, in which event a reference by serial number to the record and the land office in which filed, together with a statement as to any amendments, will be accepted)

(1) As to citizenship, whether native born or naturalized.

(2) If applicant is an association (including a partnership) it must submit a certified copy of the articles of association and the same showing as to the citizenship and holdings of its members as required of an individual.

(3) A corporation must submit a statement showing:

(i) The State in which it is incorporated.

(ii) That it is authorized to hold leases for potassium deposits and that the person executing an instrument on behalf of the corporation is authorized to act in such matters.

(iii) The percentage of voting stock and of all the stock owned by aliens for those having addresses outside of the United States. When the stock owned by aliens is over 10 percent, additional information may be required.

(iv) The name, address, citizenship, and acreage holdings of any stockholder owning or controlling 20 percent or more of the stock of any class, of the corporation.

(4) That holdings do not exceed the acreage limitations specified in § 194.3.

§ 194.5 *Completion of pending applications and prior claims.* (a) Section 6 of the act of February 7, 1927, supra, which repealed the act of October 2, 1917 (40 Stat. 297), excepts valid claims existing at the passage of the act and thereafter maintained in compliance with the law under which initiated, which claims may be perfected under such law, including discovery.

(b) As to potassium mining claims, only those claims may be patented which were initiated prior to and were valid existing claims on October 2, 1917, and have since been duly maintained as such.

§ 194.6 *Permits and leases for lands disposed of with reservation of potassium.* Where lands included in a permit or lease have been disposed of with reservation of potassium deposits, a permittee or lessee must make full compliance with the law under which such reservation was made. See the acts of July 17, 1914 (38 Stat. 509; 30 U. S. C. 121–123) December 29, 1916 (39 Stat. 862; 43 U. S. C. 291–301), June 17, 1949 (63 Stat. 201) June 21, 1949 (63 Stat. 215; 30 U. S. C. 54) and August 13, 1954 (68 Stat. 708) and other laws authorizing such reservations.

§ 194.7 *Requirements when lands are within a withdrawal.* Where any part of the lands embraced in an application for potassium permit or lease is within a withdrawal which does not preclude disposition of the potassium deposits, the head of the Government agency having control will be called upon for a report as to whether there is any objection to the granting of a potassium permit or lease. Where he recommends that a special stipulation be required to protect the interests of the United States, an appropriate stipulation may be included in the lease or permit.

POTASSIUM PROSPECTING PERMITS

§ 194.8 *Application for permit.* An application for a permit must be filed in duplicate in the appropriate land office. A filing fee of $10, which will be retained as a service charge in any event, must accompany the application. No specific form of application is required, but the application should include the information and evidence called for in §§ 194.4 and 194.17 (a) (1) and (2)

§ 194.9 *Rights conferred.* Two-year permits issued on Form 4–128[2] grant the permittee the exclusive right to prospect and explore the lands described therein to determine the existence of, or workability of, the potassium deposits. Only such material may be removed from the land as is necessary to experimental work or the demonstration of the existence of such deposits in commercial quantities.

§ 194.10 *Permit bond.* Prior to the issuance of a permit for lands entered or patented with a reservation of the potassium deposits to the United States, or lands within a reclamation project, the applicant must furnish an approved corporate surety bond of at least $1,000 (Form 4–1130) or a personal bond in similar amount (Form 4–1131) secured by negotiable Federal securities in the amount of the bond. The right is reserved to require the applicant, in any case where deemed necessary, to furnish a permit bond.

§ 194.11 *Extension of permits.* Potassium permits may be extended for a single period of two years if the permittee has drilled at least one adequate test well on the permit area or performed other comparable prospecting prescribed in the permit during the two-year period for which the permit was issued. This requirement may be waived, in the discretion of the Secretary, upon a satisfactory showing that the failure of permittee was directly attributable to the shortage of equipment or labor essential to the prescribed prospecting. The showing should consist of copies of timely correspondence or other evidence demonstrating the unsuccessful efforts to obtain the material or labor. The application for extension must be filed in duplicate in the appropriate land office within the period beginning 90 days prior to the date of expiration of the permit. Upon failure of permittee to file such an application within the specified period, the permit will expire without notice to the permittee, and the lands will be subject to new applications for potassium permits.

§ 194.12 *Cancelled permits.* Upon cancellation of a potassium permit for any reason, the land will not be open to potassium permit applications until the cancellation is noted on the records of the land office.

§ 194.13 *Reward for discovery.* (a) A permittee who discovers valuable potassium deposits in the land before the permit expires is entitled to a preference right lease of all or part of the lands in the permit, in a reasonably compact form as provided in § 194.3. An application for a preference right lease must be filed in the appropriate land office not later than 30 days after the permit expires. The application must describe the lands desired, show any change in the information contained in the application for permit, specify fully the extent and mode of occurrence of the deposits as disclosed by the prospecting work, and show that valuable potassium deposits were discovered before the permit expired. The application should be accompanied by the first year's lease rental at the rate of 25 cents per acre or fraction thereof. The lease will be on Form 4–126 and will be dated the first day of the month following the filing of the application unless applicant requests that it be dated the first day of the month of filing. If the permit expires and the application for lease is finally rejected, royalty for the deposits mined will be charged at the permit rate.

(b) If the lands are unsurveyed, the permittee, prior to the issuance of a lease, will be required to deposit with the appropriate State Supervisor the estimated cost of making a survey of the lands as officially determined by the Bureau of Land Management. This survey will be an extension of the public land surveys over the lands applied for, and the lands to be included in the lease will be conformed to the subdivision of such survey.

POTASSIUM LEASES

§ 194.14 *Form of lease.* Leases shall be issued on Form 4–126.

§ 194.15 *Lease bond.* A compliance bond, in no event less than $5,000, with approved corporate surety (Form 4–1113) or the lessee's personal bond (Form 4–1114), will be required prior to the issuance of a lease. Personal

[2] A copy of this, as well as of every other form mentioned in this part, may be obtained from any land office or from the Director, Bureau of Land Management, Washington 25, D. C. Copies of Forms 4–126 and 4–128 were filed with the Federal Register Division as part of the original document.

bonds must be secured by negotiable Federal securities in the amount of the bond.

§ 194.16 *Minimum production.* Leases will require the payment of a royalty on a minimum annual production beginning with the sixth full calendar lease year, unless operations are interrupted by strikes, the elements, or casualties not attributable to the lessee, or unless, on application and showing made, lease operations are suspended by the Department of the Interior for the reasons specified in section 39 of the Mineral Leasing Act[3] (30 U. S. C. 209)

§ 194.17 *Application for lease by competitive bidding.*[4] (a) An application for a lease must be filed in duplicate in the appropriate land office. A filing fee of $10, which will be retained as a service charge in any event, must accompany the application. No specific form is required, but the application should include the following:

(1) The applicant's name and address.

(2) If the requested lands are surveyed, they should be described by legal subdivisions, showing meridian, State, township, range, and section; if not surveyed, by metes and bounds connected by courses and distance with some corner of the public land survey. When possible, the approximate legal subdivision of unsurveyed lands should be stated.

(3) Evidence that the land is valuable for its potassium content, with a statement as to the character, extent and mode of occurrence of the potassium deposits.

(b) The application must be signed by applicant, or by his attorney-in-fact supported by the power of attorney.

(c) If it be found that the area applied for is not available for leasing, the applicant will be so informed.

§ 194.18 *Notice of lease offer* The advertised notice of the lease offer will state the place and time of sale, whether the sale will be at public auction or by sealed bids, the description of the land and the place where a detailed statement of the terms and conditions of the lease offer may be obtained. This notice will be published at government expense, once a week for four consecutive weeks or for such other period as may be determined, in a newspaper of general circulation in the county in which the lands or deposits are situated. A copy of the advertised notice will be posted in the appropriate land office during the period of publication. The detailed statement will set forth the terms and conditions of the sale, including rental, royalty, and minimum production, the manner in which bids may be submitted, and a statement that the government reserves the right to reject any and all bids. The commission of any act of intimidation of bidders, or the combination of bidders to hinder or prevent bidding, is unlawful. See 18 U. S. C. 1860.

[3] See showing required under § 191.26 of this title, as amended.

[4] Potash lands and deposits in or adjacent to Searles Lake, California, are subject only to lease by competitive bidding.

§ 194.19 *Bid deposits.* The successful bidder at a sale by public auction must deposit with the manager of the land office, or the officer conducting the sale, on the day of the sale, and each bidder at a sale by sealed bids must submit with his bid, certified check, cashier's check, bank draft, money order or cash for one-fifth of the amount of the bid.

§ 194.20 *Award of lease.* Upon receipt of the high bid at, and at the close of, an oral auction, or the opening of the sealed bids, the manager, subject to his right to reject any and all bids, will award the lease to the successful bidder, who will be notified accordingly. Four copies of the lease will be sent to the successful bidder, who will be required to execute them within 30 days from receipt thereof, pay the balance of the bonus bid, the first year's rental, file a bond as required by § 194.15, and furnish evidence of qualifications as required by § 194.4. If a bidder, after being awarded a lease, fails to execute it or otherwise comply with the applicable regulations, his deposit will be forfeited and disposed of as other receipts under the Mineral Leasing Act.

§ 194.21 *Readjustment of terms and conditions at end of twenty-year periods.* The terms and conditions of a lease are subject to readjustment at the end of each twenty-year period succeeding the date of the lease, unless otherwise provided by law at the time of the expiration of such periods. The lessee will be notified whenever feasible, before the expiration of each such twenty-year period, of the proposed readjustment of terms or that no readjustment is to be made. Unless the lessee files objection to the proposed terms, or a relinquishment of the lease within 30 days after receipt of the notice, he will be deemed to have agreed to such terms.

§ 194.22 *Relinquishment of lease.* Upon a satisfactory showing that the public interest will not be impaired, the lessee may surrender the entire lease or any legal subdivision thereof. A relinquishment must be filed in duplicate in the appropriate land office. Upon its acceptance it shall be effective as of the date it is filed, subject to the continued obligation of the lessee and his surety to make payment of all accrued rentals and royalties, and to provide for the preservation of any mines or productive works or permanent improvements on the leased lands in accordance with the regulations and terms of the lease.

§ 194.23 *Cancellation of lease.* If the lessee fails to comply with the general regulations in force at the date of the lease, or at the effective date of any readjustment of the terms and conditions thereof under section 194.21, or defaults with respect to any of the terms, covenants, or stipulations of the lease, and such failure or default continues for 30 days after service of written notice thereof by the lessor, then the lessor may bring appropriate court proceedings to forfeit and cancel the lease as provided in section 31 of the Mineral Leasing Act (30 U. S. C. 188) A waiver of any particular cause of forfeiture shall not prevent the cancellation and forfeiture of the lease for any other cause, or for the same cause occurring at any other time.

TRANSFERS OF PERMITS AND LEASES

§ 194.24 *Transfers, including subleases.* (a) Permits and leases may be transferred in whole or in part. The approval of a transfer of part of the lands in a permit or lease will create a new permit or lease for the transferred portion. A discovery either on the retained or the assigned portion will not inure to the benefit of the other, nor will approval of a transfer extend the life of the permit or the readjustment periods of the lease. Transfers, whether by direct assignments, operating agreements, subleases, working or royalty interests, or otherwise, must be filed for approval in duplicate at the land office within 90 days after execution. Evidence of the qualifications of the assignee or transferee to hold the permit or lease, as required by § 194.4, must be submitted simultaneously. Before a transfer of a permit or lease will be approved, the consent of the surety to the substitution of the transferee as principal, or a new bond with the transferee as principal, must be submitted if the original permit or lease required the maintenance of a bond. If the transfer is for part of the land only, it must be for a legal subdivision and (1) the consent of the surety to the transfer and its agreement to remain bound as to the interest retained by the permittee or lessee must be submitted, as well as (2) a new bond with the transferee as principal covering the portion of the lands transferred. The account under the permit or lease must be in good standing before approval of transfer will be given. A transfer will take effect the first day of the month following its approval, or if the transferee requests, the first day of the month of the approval.

(b) An application for approval of any instrument transferring a lease or permit, or interest therein, must be accompanied by a service fee of $10. An application not accompanied by such a fee will not be accepted. The fee will not be returned even though the application is later withdrawn or rejected.

§ 194.25 *Overriding royalties.* (a) An overriding royalty interest may be created by assignment or otherwise: *Provided, however* That if the total of the overriding royalty interest at any time exceeds one percent of the gross value of the output at the point of shipment to market, it shall be subject to reduction or suspension by the Secretary to a total of not less than one percent of such gross value, whenever, in the interest of conservation, it appears necessary to do so in order (1) to prevent premature abandonment, or (2) to make possible the economic mining of marginal or low grade deposits. Where there is more than one overriding royalty interest, any such suspension or reduction shall be applied to the respective interests in the manner agreed upon by the holders thereof or, in the absence of such agreement, in the inverse order of the dates of creation of such interests.

(b) Any assignment, sublease, or other transfer or agreement which creates an

overriding royalty interest, will not be approved unless the owner of that interest files his agreement in writing that such interest is subject to suspension or reduction as provided in paragraph (a) of this section. No overriding royalties shall be paid at a rate in excess of the rate to which they have been so reduced until otherwise authorized by the Secretary.

NOTE: The record keeping or reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

DOUGLAS MCKAY,
Secretary of the Interior

DECEMBER 2, 1954.

[F. R. Doc. 54-9671; Filed, Dec. 23, 1954; 8:45 a. m.]

[Circular 1892]

PART 195—SODIUM PERMITS AND LEASES: USE PERMITS

REVISION OF PART

This part is hereby completely revised as follows, effective 60 days after date of issuance hereof by the Secretary of the Interior:

GENERAL

AUTHORITY: §§ 195.1 to 195.26 issued under sec. 32, 41 Stat. 450; 30 U. S. C. 189. Interpret or apply secs. 23–25, 41 Stat. 447, 45 Stat. 1019; 30 U. S. C. 261–263.

GENERAL

§ 195.1 *Statutory authority.* Sections 23 through 25 of the Act of February 25, 1920 (41 Stat. 447; 30 U. S. C. Sec. 261–3) hereinafter called the Mineral Leasing Act, authorize the Secretary of the Interior to:

(a) Issue permits to prospect for deposits of chlorides, sulphates, carbonates, borates, silicates, or nitrates of sodium in public lands or in public lands disposed of with a reservation of such deposits to the United States;

(b) Lease such lands containing valuable deposits of such substances, and

(c) Grant to a permittee or lessee of such lands the right to use unoccupied nonmineral public land not exceeding forty acres in area for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease.

§ 195.2 *Definitions.* The following terms, as used in this part, or in any lease or permit approved under the regulations in this part, shall have the meanings here given:

(a) *Secretary.* The Secretary of the Interior or any person duly authorized to exercise the powers vested in that officer.

(b) *Director* The Director of the Bureau of Land Management or any person duly authorized to exercise the powers vested in that officer.

(c) *Land office, or appropriate land office.* The land office of the Bureau of Land Management for the State part of State or Territory in which the lands covered by a permit, lease, or application therefor, are situated; and as to States for which there is no land office, the Bureau of Land Management, Washington 25, D. C.[1]

(d) *Manager or Land Office Manager.* The manager of the appropriate land office as defined in paragraph (c) of this section, and, as to the Washington, D. C. office, the Supervisor, Eastern States Office, Bureau of Land Management.

(e) *Mining Supervisor.* The Regional Mining Supervisor of the Geological Survey for the region in which the lands under permit or lease are situated.

§ 195.3 *Area and limitation on holdings.* Except where the rule of approximation applies, a lease or permit may not include over 2,560 acres in compact form entirely within a six-mile square. No person, association or corporation may hold at any one time more than 5,120 acres in any one State, except as hereinafter stated, whether directly through ownership of sodium permits and leases, or of interests in them, or indirectly through association membership or stock ownership. Where necessary in order to secure the economic mining of leasable sodium compounds, a person, association, or corporation may be permitted to hold up to 15,360 acres in any one State.

§ 195.4 *Qualifications of applicant.* (a) As used in this section, "applicant" means an applicant for a permit under § 195.8, for a lease under § 195.12, the successful bidder to whom a lease is awarded under § 195.20, or an assignee or transferee under § 195.24.

[1] The land office for North and South Dakota is at Billings, Montana; for Nebraska and Kansas, at Cheyenne, Wyoming; and for Oklahoma, at Santa Fe, New Mexico.

(b) Permits and leases may be issued to citizens of the United States, associations of citizens, and corporations organized under the laws of the United States or of any State or Territory thereof.

(c) All applicants must file in the appropriate land office statements and evidence as follows (unless previously filed, in which event a reference by serial number to the record and the land office in which filed, together with a statement as to any amendments, will be accepted)

(1) As to citizenship, whether native born or naturalized.

(2) If applicant is an association (including a partnership) it must submit a certified copy of the articles of association and the same showing as to the citizenship and holdings of its members as required of an individual.

(3) A corporation must submit a statement showing:

(i). The State in which it is incorporated.

(ii) That it is authorized to hold leases or permits for sodium deposits, and that the person executing an instrument on behalf of the corporation is authorized to act in such matters.

(iii) The percentage of voting stock and of all the stock owned by aliens for those having adresses outside of the United States. When the stock owned by aliens is over 10 percent, additional information may be required.

(iv) The name, address, citizenship, and acreage holdings of any stockholder owning or controlling 20 percent or more of the stock of any class of the corporation.

(4) That holdings do not exceed the acreage limitations specified in § 195.3.

§ 195.5 *Protection of pre-existing mining claims.* Mining claims for deposits described in § 195.1 (a) which were valid on February 25, 1920, or on lands in San Bernardino County, California, on December 11, 1928, if duly maintained, may be patented under the law under which they were initiated. Otherwise, such deposits may be secured only under the Mineral Leasing Act.

§ 195.6 *Permits and leases for lands disposed of with reservation of sodium.* Where lands included in a permit or lease have been disposed of with reservation of sodium deposits, a permittee or lessee must make full compliance with the law under which such reservation was made. See the Acts of July 17, 1914 (38 Stat. 509; 30 U. S. C. 121–123) December 29, 1916 (39 Stat. 862; 43 U. S. C. 291–301) June 17, 1949 (63 Stat. 201), June 21, 1949 (63 Stat. 215; 30 U. S. C. 54) and August 13, 1954 (68 Stat. 708) and other laws authorizing such reservations.

§ 195.7 *Requirements when lands are within a withdrawal.* Where any part of the lands embraced in an application for sodium permit or lease is within a withdrawal which does not preclude disposition of the sodium deposits, the head of the Government agency having control will be called upon for a report as to whether there is any objection to the granting of a sodium permit or lease. Where he recommends that a special

stipulation be required to protect the interests of the United States, an appropriate stipulation may be included in the lease or permit.

SODIUM PROSPECTING PERMITS

§ 195.8 *Application for permit.* An application for a permit must be filed in duplicate in the appropriate land office. A filing fee of $10, which will be retained as a service charge in any event, must accompany the application. No specific form of application is required, but the application should include the information and evidence called for in §§ 195.4 and 195.17 (a) (1) and (2)

§ 195.9 *Rights conferred.* Two-year permits issued on Form 4–466 [2] grant the permittee the exclusive right to prospect and explore the lands described therein to determine the existence of or workability of the sodium deposits. Only such material may be removed from the land as is necessary to experimental work or the demonstration of the existence of such deposits in commercial quantities.

§ 195.10 *Permit bond.* Prior to the issuance of a permit for lands entered or patented with a reservation of the sodium deposits to the United States, or lands within a reclamation project, the applicant must furnish a bond of not less than $1,000, with approved corporate surety (Form 4–1130) or his personal bond in similar amount (Form 4–1131) secured by negotiable Federal securities in the amount of the bond. The right is reserved to require the applicant, in any case where deemed necessary, to furnish a permit bond.

§ 195.11 *Cancelled permits.* Upon cancellation of a sodium permit for any reason, the land will not be open to sodium permit applications until the cancellation is noted on the records of the land office.

§ 195.12 *Reward for discovery.* (a) A permittee who discovers valuable sodium deposits in the land before the permit expires is entitled to a preference right lease of all or part of the lands in the permit, in a reasonably compact form as provided in § 195.3. An application for a preference right lease must be filed in the appropriate land office not later than 30 days after the permit expires. The application must describe the lands desired, show any change in the information contained in the application for permit, specify fully the extent and mode of occurrence of the deposits as disclosed by the prospecting work, and show that valuable sodium deposits were discovered before the permit expired. The application should be accompanied by the first year's rental at the rate of 25 cents per acre or fraction thereof. The lease will be on Form 4–1134, and will be dated the first day of the month following the filing of the application unless applicant requests that it be dated the first day of the month of filing. If the permit expires and the application for lease is finally rejected, royalty for the deposits mined will be charged at the permit rate.

(b) If the lands are unsurveyed, the permittee, prior to the issuance of a lease, will be required to deposit with the appropriate State Supervisor the estimated cost of making a survey of the lands as officially determined by the Bureau of Land Management. This survey will be an extension of the public land surveys over the lands applied for, and the lands to be included in the lease will be conformed to the subdivisions of such survey.

§ 195.13 *Expiration of permit.* Unless a lease application is filed pursuant to § 195.12, the permit will expire at the end of its period without notice to permittee. No extension of the term will be granted.

SODIUM LEASES

§ 195.14 *Form of lease.* Leases shall be issued on Form 4–1134.

§ 195.15 *Lease bond.* A compliance bond, in no event less than $5,000, with approved corporate surety (Form 4–1113) or the lessee's personal bond in similar amount (Form 4–1114) will be required prior to the issuance of a lease. Personal bonds must be secured by negotiable Federal securities in the amount of the bond.

§ 195.16 *Minimum production.* Leases will require the payment of a royalty on a minimum annual production beginning with the sixth full calendar lease year, unless operations are interrupted by strikes, the elements, or casualties not attributable to the lessee, or unless, on application and showing made, lease operations are suspended by the Department of the Interior for the reasons specified in section 39 of the Mineral Leasing Act [3] (30 U. S. C. 209)

§ 195.17 *Application for lease by competitive bidding.* (a) An application for a lease must be filed in duplicate in the appropriate land office. A filing fee of $10, which will be retained as a service charge in any event, must accompany the application. No specific form is required, but the application should include the following:

(1) The applicant's name and address.

(2) If the requested lands are surveyed, they should be described by legal subdivisions, showing meridian, state, township, range, and section; if not surveyed, by metes and bounds connected by courses and distance with some corner of the public land survey. When possible, the approximate legal subdivisions of unsurveyed lands should be stated.

(3) Evidence that the land is valuable for its sodium content, with a statement as to the character, extent and mode of occurrence of the sodium deposits.

(b) The application must be signed by applicant, or by his attorney in fact, supported by the power of attorney.

(c) If it be found that the area applied for is not available for leasing, the applicant will be so informed.

§ 195.18 *Notice of lease offer* The advertised notice of the lease offer will state the place and time of sale, whether the sale will be at public auction or by sealed bids, the description of the land and the place where a detailed statement of the terms and conditions of the lease offer may be obtained. This notice will be published at government expense, once a week for four consecutive weeks or for such period as may be determined, in a newspaper of general circulation in the county in which the lands or deposits are situated. A copy of the advertised notice will be posted in the appropriate land office during the period of publication. The detailed statement will set forth the terms and conditions of the sale, including rental, royalty, and minimum production and a statement that the government reserves the right to reject any and all bids. The commission of any act of intimidation of bidders or the combination of bidders to hinder or prevent bidding is unlawful. See 18 U. S. C. 1860.

§ 195.19 *Bid deposits.* The successful bidder at a sale by public auction must deposit with the manager of the land office, or the officer conducting the sale, on the date of the sale, and each bidder at a sale by sealed bids, must submit with his bid, certified check, cashier's check, bank draft, money order, or cash for one-fifth of the amount of the bid.

§ 195.20 *Award of lease.* Upon receipt of the high bid at, and at the close of, an oral auction, or the opening of the sealed bids, the manager, subject to his right to reject any and all bids, will award the lease to the successful bidder, who will be notified accordingly. Four copies of the lease will be sent to the successful bidder, who will be required to execute them within 30 days from receipt thereof, pay the balance of the bonus bid, the first year's rental, file a bond as required by § 195.15, and furnish evidence of qualifications as required by § 195.4. If a bidder, after being awarded a lease, fails to execute it or otherwise comply with the applicable regulations, his deposit will be forfeited and disposed of as other receipts under the Mineral Leasing Act.

§ 195.21 *Renewal leases.* An application for a renewal lease must be filed in the appropriate land office not less than 30 days nor more than 90 days before the lease term expires. Thereafter, the lessee will be notified of the terms and conditions to be prescribed in the renewal lease. Unless the lessee files written objections to the proposed terms, or files a relinquishment of the lease within 30 days after receipt of such notice, he will be deemed to have agreed to such terms and to the renewal of the lease. Prior to the issuance of a renewal lease, the lessee will be required to submit a new bond as prescribed in § 195.15.

§ 195.22 *Relinquishment of lease.* Upon a satisfactory showing that the public interest will not be impaired, the lessee may surrender the entire lease or

[2] A copy of this, as well as of every other form mentioned in this part, may be obtained from any land office or from the Director, Bureau of Land Management, Washington 25, D. C. Copies of Forms 4–466, 4–1134 and 4–1135 were filed with the Federal Register Division as part of the original document.

[3] See showing required under § 191.26 of this title, as amended.

any legal subdivision thereof. A relinquishment must be filed in duplicate in the appropriate land office. Upon its acceptance it shall be effective as of the date it is filed, subject to the continued obligation of the lessee and his surety to make payment of all accrued rentals and royalties, and to provide for the preservation of any mines or productive works or permanent improvements on the leased lands in accordance with the regulations and terms of the lease.

§ 195.23 *Cancellation of lease.* If the lessee fails to comply with the general regulations in force at the date of the lease, or defaults with respect to any of the terms, covenants, or stipulations of the lease, and such failure or default continues for 30 days after service of written notice thereof by the lessor, then the lessor may bring appropriate court proceedings to forfeit and cancel the lease as provided in section 31 of the Act (30 U. S. C. 188) A waiver of any particular cause for forfeiture shall not prevent the cancellation and forfeiture of the lease for any other cause, or for the same cause occurring at any other time.

TRANSFER OF PERMITS AND LEASES

§ 195.24 *Transfers, including subleases.* (a) Permits and leases may be transferred in whole or in part. The approval of a transfer of part of the lands in a permit or lease will create a new permit or lease for the transferred portion. A discovery either on the retained or the assigned portion will not inure to the benefit of the other, nor will approval of a transfer extend the life of the permit or the renewal periods of the lease. Transfers, whether by direct assignments, operating agreements, subleases, working or royalty interests, or otherwise, must be filed for approval in duplicate at the appropriate land office within 90 days after execution. Evidence of the qualifications of the assignee or transferee to hold the permit or lease, as required by § 195.4, must be submitted simultaneously. Before a transfer of a permit or lease will be approved, the consent of the surety to the substitution of the transferee as principal, or a new bond with the transferee as principal, must be submitted if the original permit or lease required the maintenance of a bond. If the transfer is for part of the land only it must be for a legal subdivision and (1) the consent of the surety to the transfer and its agreement to remain bound as to the interest retained by the permittee or lessee must be submitted, as well as (2) a new bond with the transferee as principal covering the portion of the lands transferred. The account under the permit or lease must be in good standing before approval of transfer will be given. A transfer will take effect the first day of the month following its approval, or if the transferee requests, the first day of the month of the approval.

(b) An application for approval of any instrument transferring a lease or permit or interest therein must be accompanied by a service fee of $10. An application not accompanied by such a fee will not be accepted. The fee will not be returned even though the application is later withdrawn or rejected.

§ 195.25 *Overriding royalties.* (a) An overriding royalty interest may be created by assignment or otherwise: *Provided, however* That if the total of the overriding royalty interests at any time exceeds one percent of the gross value of the output at the point of shipment to market, they shall be subject to reduction or suspension by the Secretary to a total of not less than one percent of such gross value, whenever, in the interest of conservation, it appears necessary to do so in order (1) to prevent premature abandonment, or (2) to make possible the economic mining of marginal or low grade deposits. Where there is more than one overriding royalty interest, any such suspension or reduction shall be applied to the respective interests in the manner agreed upon by the holders thereof or, in the absence of such agreement, in the inverse order of the dates of creation of such interests.

(b) Any assignment, sublease, or other transfer or agreement which creates an overriding royalty interest will not be approved unless the owner of that interest files his agreement in writing that such interest is subject to suspension or reduction as provided in paragraph (a) of this section. No overriding royalties shall be paid at a rate in excess of the rate to which they have been so reduced until otherwise authorized by the Secretary.

USE PERMITS

§ 195.26 *Use permits for additional lands.* (a) A permittee or lessee may be granted a right to use, during the life of the permit and lease, the surface of not exceeding 40 acres of unoccupied nonmineral public land not included within the boundaries of a national forest for camp sites, refining works, and other purposes connected with and necessary to the proper development and use of the deposits covered by the permit or lease. The annual charge for such use will be established by the officer issuing the permit at the reasonable rental value of the lands but at not less than 25 cents an acre or fraction thereof.

(b) Applications for permits to use additional land shall be filed in the appropriate land office. Such applications must state why the additional land is necessary, describe the land in accordance with § 195.17 (a) (2), and state whether it is unoccupied and nonmineral. The application must also contain an agreement to pay the annual charge prescribed in the permit. Use permits will be issued on Form 4–1135 and dated as of the first day of the month after its issuance unless the applicant requests that it be dated the first day of the month of issuance.

NOTE: The record keeping or reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

DOUGLAS MCKAY,
Secretary of the Interior.

DECEMBER 2, 1954.

[F. R. Doc. 54-9672; Filed, Dec. 23, 1954; 8:45 a. m.]

[Circular 1833]

PART 259—DISPOSAL OF MATERIALS

STATUTORY AUTHORITY

Section 259.1 (a) is amended to read:

§ 259.1 *Statutory authority.* (a) The act of July 31, 1947 (61 Stat. 681, 43 U. S. C. 1185) authorizes the disposal of materials, including but not limited to sand, stone, gravel, yucca, manzanita, mesquite, cactus, common clay, and timber or other forest products, on public lands of the United States, if the disposal is not otherwise expressly authorized by laws of the United States, including the United States mining laws, and is not expressly prohibited by laws of the United States, nor detrimental to the public interests. The act of August 31, 1950 (64 Stat. 572; 43 U. S. C. sup. 1188), added to the act of July 31, 1947, a section 4 authorizing the disposal of sand, stone, gravel, and vegetative materials located below high-water mark of navigable waters of the Territory of Alaska. The act of April 15, 1954 (68 Stat. 53) provides that for the purpose of aiding in the development of building materials essential to the growth of Alaska, the Secretary of the Interior is authorized, in his discretion, for a period of fifteen years from the date of approval of that act and pursuant to the provisions of the act of July 31, 1947 (61 Stat. 681), as amended, to permit the removal of deposits of siliceous volcanic ash, commonly known as pumicite, from such areas as he may designate along the shores of Shelikof Strait in Katmai National Monument, Alaska.[1]

(b) The provisions of this act do not apply to lands in any national forest, national park or national monument, except as stated in paragraph (a) of this section, or to any Indian lands, or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive Order for the use of Indians.

(Sec. 1, 61 Stat. 681; 43 U. S. C. 1185)

DOUGLAS MCKAY,
Secretary of the Interior.

DECEMBER 3, 1954.

[F. R. Doc. 54-9673; Filed, Dec. 23, 1954; 8:45 a. m.]

Appendix C—Public Land Orders

[Public Land Order 1038]

NEW MEXICO

RESERVATION OF LANDS FOR USE OF THE FOREST SERVICE AS CAMP, SUMMER HOME AND RECREATION AREAS

By virtue of the authority vested in the President by the act of June 4, 1897

[1] Pursuant to the act of April 15, 1954, *supra*, and for a period of 15 years from the date thereof, unless sooner revoked, the following described area is designated for the removal of the deposits named in the act:

Those lands within ¼ mile of mean high tide in Geographic Harbor at latitude 53° 03' N., longitude 154° 36' W., the harbor lying within Amalik Bay on Shelikof Strait, Katmai National Monument, Alaska.

Appropriate conditions for the protection of the monument will be included in the contracts.

(30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, except for oil and gas: *Provided,* That no part of the surface of the lands shall be used in connection with prospecting, mining, and removal of the oil and gas, and reserved for the use of the Forest Service, Department of Agriculture, as camp, summer home and recreation areas, as indicated:

NEW MEXICO PRINCIPAL MERIDIAN

GILA NATIONAL FOREST

Southwestern Congregational Churches Organization Camp and Recreation Area

T. 15 S., R. 12 W.,
Sec. 36, NE¼.

The area described aggregates 160 acres.

Mimbres Summer Home and Recreation Area

T. 15 S., R. 11 W.,
Sec. 31, E½NW¼NE¼, E½NE¼,
Sec. 32, W½W½NW¼, W½E½W½NW¼.

The areas described aggregate 160 acres.

Bursum Picnic Ground and Recreation Area

T. 11 S., R. 18 W.,
Sec. 2, Lots 19, 21 and 22.

The area described aggregates 120 acres.

Cherry Creek Recreation Area

T. 16 S., R. 13 W.,
Sec. 8, SE¼SE¼SW¼, SW¼SW¼SE¼,
Sec. 17, W½NW¼NW¼SW¼, NE¼NW¼NW¼SW¼, SW¼SW¼NW¼, W½SE¼SW¼NW¼, E½NW¼SW¼NW¼, NE¼SW¼NW¼, NW¼NW¼SE¼NW¼, S½SE¼NW¼NW¼, SW¼NE¼NW¼, NW¼SE¼NE¼NW¼, E½NW¼NE¼NW¼, N½NE¼NE¼NW¼, SW¼NE¼NE¼NW¼;
Sec. 18, NE¼NE¼SE¼, SW¼NE¼SE¼, W½SE¼NE¼SE¼, NE¼SE¼NE¼SE¼, E½SE¼NW¼SE¼, NE¼SW¼SE¼, E½NW¼SW¼SE¼, W½SE¼SW¼SE¼, SW¼SW¼SE¼.

The areas described aggregate 152.50 acres.

Kingston Recreation Area

T. 16 S., R. 8 W.,
Sec. 18, S½ of lot 12, excepting 4 acres, more or less, included in patented mining claims covered by M. S. 463–B.

The area described aggregates approximately 16 acres.

Rocky Canyon Recreation Area

T. 14 S., R. 11 W.,
Sec. 7, E½NE¼,
Sec. 8, W½NW¼.

The areas described aggregate 160 acres.

This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

FRED G. AANDAHL,
Acting Secretary of the Interior

DECEMBER 20, 1954.

[F. R. Doc. 54–10213; Filed, Dec. 23, 1954; 8:49 a. m.]

[Public Land Order 1039]

ALASKA

PARTIALLY REVOKING EXECUTIVE ORDER NO. 8020 OF DECEMBER 2, 1938, WHICH WITHDREW PUBLIC LANDS IN AID OF FLOOD CONTROL

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Order No. 8020 of December 2, 1938, temporarily withdrawing the public lands in certain areas in Alaska in connection with the Tanana River and Chena Slough flood control project under the supervision of the War Department as authorized by the act of June 28, 1938 (52 Stat. 1215) is hereby revoked so far as it affects the public lands in the following-described areas:

FAIRBANKS MERIDIAN

T. 2 S., R. 2 E.,
Sec. 22;
Lot 1, that portion situated north of the north line of lot 3 extended to the Tanana River.
Lot 2, N½ and N½SE¼.
Sec. 23, lots 1 to 6, inclusive, NW¼, N½SW¼, SE¼SW¼, NW¼SE¼.
Sec. 24, lots 1 to 8, inclusive, NE¼NE¼, NW¼NW¼, NE¼SW¼, NW¼SE¼.
Secs. 25, 26, 27, 35, and 36.
T. 3 S., R. 2 E.,
Secs. 1, 2, and 12, those parts east of the Tanana River.
T. 2 S., R. 3 E.,
Sec. 19, N½, N½S½, SE¼SE¼, unsurveyed;
Secs. 28 to 33, inclusive, unsurveyed;
Sec. 34.
T. 3 S., R. 3 E.,
That part east of Tanana River (partly unsurveyed).
T. 4 S., R. 3 E.,
Secs. 1, 12, and 13.
T. 3 S., R. 4 E.,
Secs. 6, 7, 18, 19, 30 and 31, unsurveyed.
T. 4 S., R. 4 E.,
Secs. 6, 7, 18, and 19.

The public lands in the areas described aggregate approximately 24,000.00 acres.

2. The following-described lands released from withdrawal by this order shall not become subject to the initiation of any rights or to any disposition under the public-land laws until it is so provided by an order of classification to be issued by an authorized officer opening the lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended, with a 91-day preference-right period for filing such applications by veterans of World War II and the Korean conflict and others entitled to preference:

FAIRBANKS MERIDIAN

T. 4 S., R. 3 E.,
Secs. 1 and 12;
Sec. 13, lot 2, NE¼, SE¼SE¼,
T. 4 S., R. 4 E.,
Secs. 6, 7, 18, and 19.

The areas described aggregate approximately 4,000 acres.

3. Portions of the lands in the area restored from withdrawal by this order are withdrawn by Public Land Orders No. 577 of March 29, 1949 and No. 684 of November 9, 1950, for use of the Department of the Air Force, and other portions are included in allowed entries or have been patented.

4. Portions of the lands aggregating approximately 640 acres are included in applications for withdrawal filed by the Department of the Air Force, with respect to which lands, applications under the public-land laws will be suspended in accordance with 43 CFR 295.10 until action on the applications for withdrawal has been taken. The lands in section 36, T. 2 S., R. 2 E., are reserved for support of the common schools of Alaska.

This order shall not otherwise become effective to change the status of the restored public lands aggregating approximately 6,000 acres until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the restored public lands affected by this order shall be subject only to (1) application under the homestead laws or the Alaska Homesite Act of May 26, 1934 (48 Stat. 809; 48 U. S. C. 461) or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a) as amended, by qualified veterans of World War II and the Korean conflict and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279–284) as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official

document of his branch of the service which shows clearly his honorable discharge as defined in section 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Bureau of Land Management, Fairbanks, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 65 and 66, of Title 43 of the Code of Federal Regulations, and applications under the said Alaska Homesite Act of May 26, 1934, and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in §§ 64.6 to 64.10, inclusive, of Part 64 and Part 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

FRED G. AANDAHL,
Acting Secretary of the Interior.

DECEMBER 20, 1954.

[F. R. Doc. 54-10212; Filed, Dec. 23, 1954; 8:49 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 2, 11]

[Docket Nos. 9703, 10742; FCC 54-1533]

SPECIAL INDUSTRIAL RADIO SERVICE; TABLE OF FREQUENCY ALLOCATIONS

NOTICE OF ORAL ARGUMENT AND CONFERENCE

In the Matter of Revision of Subpart K of Part 11 Special Industrial Radio Service, Docket No. 9703; amendment of § 2.104 *Table of frequency allocations*, of Part 2 of the Commission's rules, Docket No. 10742.

On October 29, 1954, the Commission adopted a Proposed Report and Order in the above-entitled matter which gave interested persons an opportunity to file exceptions thereto and to request an oral argument. A number of such requests have been received. Accordingly, the Commission has decided to grant the requests and is hereby scheduling an oral argument on the exceptions to be held before the Commission en banc on the 24th and 25th of February 1955, at 10:00 a. m., in Washington, D. C.

Persons who filed exceptions and requested an oral argument and who desire to participate in the oral argument scheduled herein, are directed to file a written appearance on or before the 3d day of January 1955.

In view of the large number of exceptions, the variety of issues covered and the limited time which the Commission will be able to devote to this oral argument, it has been decided to hold an informal pre-oral argument conference with the representatives of the exceptors who filed an appearance, at 10:00 a. m., on the 10th day of January, 1955 in the office of Commissioner Webster in Room 6239, New Post Office Building. The purpose of this informal conference is to arrange the order of presentation and to eliminate, as far as possible, any duplication in the presentation of the oral argument. All representatives of the exceptors who requested an oral argument and expect to participate therein are requested to attend.

Adopted: December 15, 1954.

Released: December 17, 1954.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 54-10231; Filed, Dec. 23, 1954; 8:53 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Document No. 20]

ARIZONA

ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

DECEMBER 15, 1954.

In exchanges of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. 315g) the lands described hereafter have been reconveyed to the United States. The area reconveyed and the serial number identifying the exchange are as indicated:

GILA AND SALT RIVER MERIDIAN

PHOENIX 080111

T. 5 S., R. 9 W.,
Sec. 2: All.
T. 2 S., R. 17 W.,
Sec. 32: SW¼NE¼, S½NW¼, W½SW¼, SE¼SW¼.

The areas described total 878.18 acres of public land.

PHOENIX 080450

T. 11 S., R. 13 E.,
Sec. 7: Lots 1 and 2, S½NE¼, SE¼NW¼.
T. 6 N., R. 11 W.,
Sec. 6: All,
Sec. 7: All,
Sec. 8: All.
T. 10 S., R. 11 W.,
Sec. 16: SW¼, W½SE¼, NE¼SE¼,
Sec. 32: All.

The areas described total 2,993.24 acres of public land.

PHOENIX 080005

T. 3 N., R. 4 W.,
Sec. 16: NW¼NE¼.
T. 1 N., R. 9 W.,
Sec. 36: All.
T. 1 N., R. 10 W.,
Sec. 36: All.

The areas described total 1,320 acres of public land.

PHOENIX 080000

T. 1 N., R. 8 W.,
Sec. 31. E½.
T. 3 N., R. 5 W.,
Sec. 36: All.
T. 2 N., R. 5 W.,
Sec. 16: NW¼,
Sec. 2: W½.
T. 5 N., R. 5 W.,
Sec. 32: All.
T. 2 N., R. 7 W.,
Sec. 32: E½NE¼, S½SE¼.
T. 3 N., R. 9 W.,
Sec. 16: SE¼SE¼.
T. 3 N., R. 4 W.,
Sec. 36: Lots 1, 2, 3, 4.
T. 19 N., R. 12 W.,
Sec. 16: All.

The areas described total 3,075.96 acres of public land.

PHOENIX 081145

T. 21 S., R. 21 E.,
Sec. 7: SE¼SW¼, SW¼SE¼.

The area described totals 80.00 acres of public land.

PHOENIX 081196

T. 2 S., R. 1 E.,
Sec. 32: All,
Sec. 36: All.
T. 3 S., R. 1 E.,
Sec. 16: SW¼NW¼, W½SE¼, NE¼SE¼.
T. 5 S., R. 1 E.,
Secs. 16 and 32: All.
T. 7 S., R. 1 E.,
Sec. 36: SE¼SW¼, W½SE¼.

The areas described total 2,859.60 acres of public land.

PHOENIX 081275

T. 21 S., R. 20 E.,
Sec. 16: N½, N½SW¼, SW¼SW¼.

The area described totals 440.00 acres of public land.

PHOENIX 081362

T. 21 S., R. 20 E.,
Sec. 3: N½SE¼, SE¼SE¼,
Sec. 4: S½N½, S½,
Sec. 9: All,
Sec. 10: W½NE¼, W½,
Sec. 16: SE¼SW¼.
T. 21 S., R. 21 E.,
Sec. 6: Lots 1, 2, 3, 4.

The areas described total 1,888.85 acres of public land.

PHOENIX 081428

T. 3 N., R. 14 W.,
Sec. 32: S½.
T. 4 N., R. 14 W.,
Sec. 32: NE¼SW¼.
T. 6 N., R. 15 W.,
Sec. 36: W½,
Sec. 16: All.
T. 6 N., R. 17 W.,
Sec. 2: SE¼NE¼,
Sec. 32: S½.

The areas described total 1,680.00 acres of public land.

PHOENIX 081515

T. 4 S., R. 9 W.,
Sec. 36: SE¼NE¼, W½NE¼, NW¼, S½.
T. 5 S., R. 9 W.,
Secs. 16 and 36: All.
T. 5 S., R. 12 W.,
Sec. 2: N½, N½S½, S½SW¼, SW¼SE¼.
T. 6 S., R. 9 W.,
Sec. 2: All,
Sec. 9: S½SE¼,
Sec. 16: All,
Sec. 22: SW¼NE¼,
Sec. 32: N½.
T. 6 S., R. 10 W.,
Sec. 16: All,
Sec. 36: N½, SE¼.

The areas described total 5,322.77 acres of public land.

PHOENIX 081522

T. 13 N., R. 16 W.,
Sec. 15: W½, W½E½, E½SE¼,
Sec. 17: N½, N½SE¼, SE¼SE¼,
Sec. 19: Lots 1, 2, 3, 4, E½W½, E½,
Secs. 21, 29, 31 and 33: All.
T. 15 N., R. 21 W.,
Sec. 1. All,
Sec. 13: NE¼, NE¼NW¼, NE¼SE¼, E½NW¼SE¼, NE¼SE¼SE¼, S½SE¼SE¼.
T. 16 N., R. 20½ W.,
Sec. 1. Lots 1, 2, 3, 4, S½N½, S½.
Sec. 3: Lots 1, 2, 3, 4, 5, E½SE¼, SE¼NE¼.
Sec. 13: W½SW¼, SE¼SW¼,
Sec. 23: All,
Sec. 25: NE¼, NE¼NW¼,
Sec. 27: Lots 1, 2, 3, 4, E½E½.
T. 16 N., R. 21 W.,
Sec. 1. Lots 1, 2, 3, 4, S½N½, S½,
Sec. 3: Lots 1, 2, 3, 4, S½N½, S½,
Sec. 13: All.
T. 16½ N., R. 20½ W.,
Sec. 23: Lots 1, 2, 3, 4, S½N½, S½,
Sec. 25: All,
Sec. 27: Lots 1, 2, 3, 4, E½E½,
Sec. 35: All.
T. 17 N., R. 21 W.,
Sec. 1. Lots 1, 2, 3, 4, S½N½, S½,
Sec. 3: Lots 1, 2, 3, 4, S½N½, S½,
Sec. 11. All,
Sec. 13: N½N½, S½NE¼.
T. 18 N., R. 21 W.,
Sec. 1. SW¼NE¼, S½NW¼, S½,
Sec. 3: Lots 1, 2, 3, 4, 5, 6, 7, SE¼NW¼, E½SW¼, S½NE¼, SE¼.
Sec. 11. All,
Sec. 13: All,
Sec. 15: All.

The areas described total 16,703.31 acres of public land.

PHOENIX 081523

T. 13 N., R. 14 W.,
Sec. 19: E½E½.
T. 16 N., R. 20½ W.,
Sec. 11. All,
Sec. 25: NW¼NW¼, S½NW¼, S½,
Sec. 35: N½, SE¼.
T. 16 N., R. 21 W.,
Sec. 35: SE¼.
T. 17 N., R. 21 W.,
Sec. 13: S½NW¼, S½,
Secs. 15, 23 and 25: All,
Sec. 27: NW¼, E½SW¼, E½,
Sec. 35: All.
T. 18 N., R. 21 W.,
Sec. 1. Lots 1, 2, 3, 4, SE¼NE¼,
Secs. 23, 25, 27 and 35: All.
T. 19 N., R. 20 W.,
Sec. 31. Lots 1, 2, 3, 4, E½W½, SE¼,
Sec. 1. All.
T. 20 N., R. 20 W.,
Secs. 11 and 13: All,
Sec. 35: NE¼NE¼, Lots 1 and 2.

The areas described total 10,687.33 acres of public land.

PHOENIX 081755

T. 7 N., R. 11 W.,
Sec. 22: All.
T. 7 N., R. 14 W.,
Sec. 2: Lot 4,
Sec. 36: Lot 1, NE¼NE¼, S½NE¼.
T. 13 S., R. 29 E.,
Sec. 10: N½,
Sec. 15: E½NE¼.
T. 13 S., R. 30 E.,
Sec. 2: S½SE¼, NW¼SE¼.
T. 21 S., R. 20 E.,
Sec. 3: Lot 1.

The areas described total 1,412.17 acres of public land.

PHOENIX 082286

T. 14 N., R. 20 W.,
Secs. 5, 9, 27 and 35: All,
Sec. 33: E½.
T. 15 N., R. 20 W.,
Secs. 5, 7, 19, 21, 29, 31, 33: All,
Sec. 9: S½.
T. 15 N., R. 20½ W.,
Sec. 1: All,
Sec. 3: Lots 1, 2, E½E½,
Secs. 11 and 13: All,
Sec. 25: N½N½, N½S½NW¼, S½NE¼, SE¼, E½E½ SW¼, SE¼SE¼NW¼,
Sec. 35: N½SW¼SE¼, SE¼SW¼SE¼.
T. 16 N., R. 20½ W.,
Sec. 15: Lots 1, 2, 3, 4, E½E½,
Sec. 13: N½, N½SE¼, SE¼SW¼.
T. 14 N., R. 20½ W.,
Sec. 1. NE¼, N½N½SE¼, E½NW¼, N½NW¼NW¼, SE¼NW¼NW¼.

The areas described total 11,387.17 acres of public land.

PHOENIX 083405

T. 11 N., R. 15 W.,
Sec. 29: All,
Sec. 33: N½N½, SW¼NE¼.
T. 13 N., R. 15 W.,
Sec. 35: S½, SE¼NE¼.
T. 13 N., R. 16 W.,
Sec. 13: All,
Sec. 15: E½NE¼.

The areas described total 1,920.00 acres of public land.

PHOENIX 084461

T. 21 S., R. 21 E.,
Sec. 7: E½NW¼.

The area described totals 80.00 acres of public land.

PHOENIX 086365

T. 10 S., R. 23 W.,
Sec. 23: W½SW¼.

The area described totals 80.00 acres of public land.

ARIZONA 04320

T. 30 N., R. 11 W.,
Secs. 3, 9 and 11. All.
T. 31 N., R. 11 W.,
Secs. 13, 15, 17, 19, 21, 23, 27, 33 and 35: All.
T. 31 N., R. 12 W.,
Sec. 1. S½,
Sec. 11. S½,
Sec. 13: All,
Sec. 15: S½,
Secs. 23, 25 and 35: All.
T. 32 N., R. 12 W.,
Sec. 5: All,
Sec. 7: Lots 3, 4, E½, E½SW¼,
Secs. 17 and 19: All.
T. 32 N., R. 13 W.,
Secs. 7, 9, 11, 13, 15 and 17: All.
Sec. 19: Lots 1, 2, NE¼, E½NW¼,
Secs. 21 and 23: All.
T. 33 N., R. 12 W.,
Secs. 1, 5, 7, 17, 19, 31 and 33: All.
T. 33 N., R. 13 W.,
Secs. 9, 11, 13, 15, 21, 23, 25, 27, 29, 33 and 35: All.

The area described totals 33,061.26 acres of public land.

ARIZONA 04890

T. 17 N., R. 18 W.,
Sec. 1. E½,
Sec. 25: All.

The area described totals 960.00 acres of public land.

The grand total of all the areas described aggregate 96,829.84 acres of public land.

The minerals in the above described lands were wholly or partly reserved by the grantor or by prior grantors, and any person acquiring any of these lands must accept title subject to such reservations. Information as to any mineral rights reconveyed to the United States is of record in the Land Office, Room 251, Post Office Building, Phoenix, Arizona.

This order is subject to any withdrawals, reservations, rights-of-way or easements which may now affect the land, and to any withdrawals, reservations, rights-of-way or easements which may hereafter be effected.

The lands described are principally desert range lands. The topography is for the most part rolling to rough. The soil grades from sandy to rocky and supports a sparse vegetative cover consisting principally of creosote bush, yucca, cacti and a few annual grasses and weeds.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order except that the lands are now open to application, petition, location, or selection under applicable laws, subject to valid existing rights, the requirements for classification, and withdrawal limitations. Pursuant to law, preference in consideration of competing applications will be granted as follows:

Priority category	Preferred applicant	Types of applications	Priority period closing dates (all days start at 10 a. m.)	How competing applications will be considered
1	Holders of individual preference rights based on valid settlement, statutory preference, or equitable claims.	As specified by law or regulation.	120 days from date of this notice.	Priority of right.
2	Veterans of World War II and of the Korean conflict, and other beneficiaries of the act of Sept. 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended.	Homestead desert land, small-tract.	35 days from date of this notice.	Drawing at the close of the priority period.
3	----do----	----do----	91 days from the end of the second priority period.	Order of filing during the priority period.
4	Any other qualified person.	Any type	120 days from date of this notice.	Drawing at the close of the priority period.
5	Any qualified person	----do----	Any time after the end of the fourth priority period.	Order of filing.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Room 251, Post Office Building, Phoenix, Arizona.

E. I. ROWLAND,
State Supervisor

[F. R. Doc. 54-10144; Filed, Dec. 23, 1954; 8:45 a. m.]

[Misc. 313603]

CALIFORNIA

PARTIALLY REVOKING ORDER OF JUNE 17, 1913, WHICH OPENED LANDS UNDER THE FOREST HOMESTEAD ACT

DECEMBER 20, 1954.

Upon request of the Department of Agriculture and pursuant to the authority delegated by Departmental Order No. 2583, section 2.22 (a) of August 16, 1950, it is ordered as follows:

Subject to valid existing rights, the order of the Assistant Commissioner of the General Land Office of June 17, 1913, opening lands in the Sequoia National Forest for entry under the act of June 11, 1906, as amended (34 Stat. 233; 16 U. S. C. secs. 506-509) is revoked in part as follows:

(List No. 5-1648)

MOUNT DIABLO MERIDIAN

T. 14 S., R. 27 E.,
Sec. 4, E½NE¼NE¼NW¼ (Lot 3).

The area described contains 5.00 acres.

EDWARD WOOZLEY,
Director

[F. R. Doc. 54-10195; Filed, Dec. 23, 1954; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Maritime Administration

PACIFIC TRANSPORT LINES, INC.

NOTICE OF APPLICATION

Notice is hereby given of the application of Pacific Transport Lines, Inc., seeking the written permission of the Maritime Administrator under section 805 (a) Merchant Marine Act, 1936, 46 U. S. C. 1223, to permit its parent Company, States Steamship Company, or its affiliate, Pacific Atlantic Steamship Co., to load approximately 1,500 tons of newsprint at Port Angeles, Washington, on or about December 28, 1954, for discharge at Long Beach, California.

Under the provisions of section 805 (a) the Maritime Administrator may not grant any such application if he finds that it will result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service or that it will be prejudicial to the objects and policy of the Act.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 805 (a) should notify the Maritime Administrator on or before December 27, 1954, and should file petitions for leave to intervene in accordance with § 201.81 of the Federal Maritime Board/Maritime Administration's Rules of Procedure (W F. R. 6076)

In the absence of receipt of any such request for hearing and petition for leave to intervene, the Maritime Administrator will take such action with respect to the application as may be deemed appropriate.

By order of the Maritime Administrator.

Dated: December 23, 1954.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 54-10273; Filed, Dec. 23, 1954; 10:26 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended July 5, 1954, 19 F. R. 3326)

Belton Shirt Co., Inc., Belton, S. C., effective 12-1-54 to 11-30-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

Calhoun Garment Co., Calhoun City, Miss., effective 12-18-54 to 12-17-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (boys' pants).

Cluett, Peabody and Co., Inc., Gilbert, Minn., effective 12-17-54 to 12-16-55, 5 learners for normal labor turnover purposes (shirt collars).

Danny Dare Manufacturing Co., 1116 J Street, Auburn, Nebr., effective 12-6-54 to 12-5-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (children's apparel).

Danny Dare Manufacturing Co., 1006-07 Central Street, Auburn, Nebr., effective 12-6-54 to 12-5-55, 10 learners for normal labor turnover purposes (children's apparel).

Danny Dare Manufacturing Co., 1006-07 Central Street, Auburn, Nebr., effective 12-6-54 to 6-5-55, 10 learners for plant expansion purposes (children's apparel).

Devil-Dog Manufacturing Co., Wendell, N. C., effective 12-23-54 to 12-22-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and children's dungarees).

Devil-Dog Manufacturing Co., Wendell, N. C., effective 12-6-54 to 6-5-55, 15 learners for plant expansion purposes (ladies' and children's dungarees).

Griffin Garment Co., 123 Experiment Street, Griffin, Ga., effective 12-18-54 to 12-17-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (brassieres).

Griffin Garment Co., 123 Experiment Street, Griffin, Ga., effective 12-18-54 to 6-17-55, 10 learners for plant expansion purposes (brassieres).

H. R. Halprin Manufacturing Co., Monsey Avenue and Ash Street, Scranton, Pa., effective 12-1-54 to 11-30-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (children's and men's jackets).

Hickerson and Co., Brainerd, Minn., effective 12-10-54 to 12-9-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' clothing).

The Jerold Corp., Smithfield, N. C., effective 12-1-54 to 5-31-55, 40 learners for plant expansion purposes (jackets and sportswear).

Kennebec Manufacturing Co., Inc., Northern Avenue, Gardiner, Maine, effective 12-6-54 to 4-23-55, 10 percent of the total number of factory production, workers for normal labor turnover purposes (children's outer garments) (replacement certificate).

Mammoth Cave Garment Co., Cave City, Ky., effective 12-11-54 to 12-10-55, 10 learners for normal labor turnover purposes (dungarees).

Mira Sue Sportswear, Inc., Fern Glen, Pa., effective 12-7-54 to 12-6-55, 5 learners for normal labor turnover purposes (dresses).

Seattle Woolen Co. 2822 "A" Street, Tacoma, Wash., effective 12-2-54 to 12-1-55, 10 learners for normal labor turnover purposes (men's jackets).

The Shirtmaster Co., Inc., Abbeville, S. C., effective 12-7-54 to 12-6-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

Snowdon, Inc., Osceola, Iowa, effective 12-6-54 to 2-18-55, 10 learners for normal labor turnover purposes (women's lingerie) (replacement certificate).

Sweet-Orr and Co., Inc., 68 First Street, SW., Pulaski, Va., effective 12-1-54 to 5-31-55, 30 learners for plant expansion purposes (work clothes).

Thomson Co., Millen, Ga., effective 12-12-54 to 12-11-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' trousers).

Thomson Co., Thomson, Ga., effective 12-8-54 to 12-7-55, 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' trousers).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.46, as amended May 3, 1954, 19 F R. 1761)

Magnet Mills, Inc., 308 Cullen Street, Clinton, Tenn., effective 11-29-54 to 11-28-55, 5 percent of the total number of factory production workers for normal labor turnover purposes.

Independent Telephone Industry Learner Regulations (29 CFR 522.82 to 522.93, as amended September 20, 1954, 19 F R. 5312)

Iowa-Illinois Telephone Co., New London, Iowa, effective 12-1-54 to 11-30-55.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952, 16 F. R. 12866)

Cluett, Peabody & Co., Inc., Gilbert, Minn., effective 12-17-54 to 12-16-55, 5 learners for normal labor turnover purposes.

Ellwood Knitting Mills, Inc., Ellwood City, Pa., effective 12-11-54 to 12-10-55, 5 percent of the total number of factory production workers for normal labor turnover purposes.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14)

The following special learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Dandy Brassieres, Inc., 2328 Borinquen Avenue, Santurce, P. R., effective 11-26-54 to 5-25-55, 10 learners in the occupation of machine sewing on brassieres and bra-s'lettes 240 hours at 45 cents an hour and 240 hours at 50 cents an hour.

San Juan Glove Corp., Hato Rey, P. R., effective 11-22-54 to 5-21-55, 24 learners in the occupation of machine stitching, woven and knitted fabric gloves, 240 hours at 32 cents an hour and 240 hours at 40 cents an hour.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 6th day of December 1954.

MILTON BROOKE,
Authorized Representative of the Administrator

[F. R. Doc. 54-10197; Filed, Dec. 23, 1954; 8:46 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended July 5, 1954, 19 F R. 3326)

Blue Ridge Manufacturers Inc., Pine and Brown Streets, Petersburg, Va., effective 11-14-54 to 11-13-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (girls' and women's jeans).

Boonville Manufacturing Corp., 302-316 North Second Street, Boonville, Ind., effective 10-28-54 to 10-27-55; 10 percent of the total number of factory production workers for normal labor turnover purposes in the production of men's woven pajamas only (men's pajamas).

Carbondale Manufacturing Co. Inc., 33 South Main Street, Carbondale, Pa., effective 10-29-54 to 10-28-55; 10 learners for normal labor turnover purposes (women's dresses).

Cassie Sportswear, 306-8-10 West Catawissa Street, Nesquehoning, Pa., effective 10-27-54 to 10-26-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' blouses).

R. Lowenbaum Manufacturing Co., 130 North Front Street, Mounds, Ill., effective 10-29-54 to 10-28-55; 5 learners for normal labor turnover purposes (junior dresses).

R. Lowenbaum Manufacturing Co., Red Bud, Ill., effective 10-29-54 to 10-28-55; 5 learners for normal labor turnover purposes (junior dresses).

McEwen Manufacturing Co., McEwen, Tenn., effective 11-6-54 to 11-5-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (overalls, playsuits).

Newport Manufacturing Co. Inc., Newport, Vt., effective 11-1-54 to 10-31-55; 5 learners for normal labor turnover purposes (dresses).

Salant & Salant, Inc., South First Street, Union City, Tenn., effective 11-13-54 to 11-12-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts and pants).

Salant & Salant, Inc., Washington Street, Paris, Tenn., effective 11-9-54 to 11-8-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton and wool work shirts).

Salant & Salant, Inc., Pine Street, Lexington, Tenn., effective 11-6-54 to 11-5-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Salant & Salant, Inc., Troy, Tenn., effective 11-7-54 to 11-6-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts.)

Salant & Salant, Inc., Obion, Tenn., effective 11-9-54 to 11-8-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Salant & Salant, Inc., First Street, Lexington, Tenn., effective 11-9-54 to 11-8-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Salant & Salant, Inc., Princeton Factory, Tennessee Avenue, Parsons, Tenn., effective 11-8-54 to 11-7-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work pants).

Saluda Shirt Co., Inc., Saluda, S. C., effective 10-28-54 to 10-27-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's sport shirts).

Shamokin Dress Co., 1012 North Shamokin Street, Shamokin, Pa., effective 10-29-54 to 10-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's and girls' dresses).

Shane Manufacturing Co., Inc., 2015 West Maryland Street, Evansville 7, Ind., effective 11-16-54 to 11-15-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work clothing).

Shroyer Dress Co., 315 North Water Street, Selinsgrove, Pa., effective 10-29-54 to 10-28-55; 10 learners for normal labor turnover purposes (women's and misses' dresses).

Rice-Stix Factory No. 3, Blytheville, Ark., effective 10-26-54 to 10-25-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts and pajamas).

Williamson-Dickie Manufacturing Co., Eagle Pass, Tex., effective 11-3-54 to 11-2-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Cigar Industry Learner Regulations (29 CFR 522.201 to 522.211, as amended October 27, 1952, 17 F. R. 8633.)

Jno. H. Swisher & Son, Inc., Waycross, Ga., effective 11-17-54 to 11-16-55; 10 percent of the total number of workers engaged in each of the occupations listed below, for

normal labor turnover purposes; cigar machine operating, 320 hours; cigar packing, cigars retailing for more than 6 cents, 320 hours; cigars retailing for 6 cents or less, 160 hours; machine stripping, 160 hours; all at 65 cents.

Jno. H. Swisher & Son Inc., Sixteenth and Ionia Streets, Jacksonville, Fla., effective 11-10-54 to 11-9-55; to employ not in excess of 10 percent of the total number of workers engaged in each of the occupations listed below, for normal labor turnover purposes; cigar machine operating, 320 hours; cigar packing, cigars retailing for over 6 cents, 320 hours; cigars retailing for 6 cents or less, 160 hours; machine stripping, 160 hours; all at 65 cents.

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended July 13, 1953, 18 F. R. 3292.)

Wells Lamont Corp., Barry, Ill., effective 11-3-54 to 11-2-55; 5 learners for normal labor turnover purposes.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952, 16 F R. 12866)

Abingdon Manufacturing Corp., Abingdon, Va., effective 11-20-54 to 11-19-55; 5 percent of the total number of factory production workers engaged in the manufacture of men's shorts only, for normal labor turnover purposes (men's woven shorts).

Boonville Manufacturing Corp., Boonville, Ind., effective 10-28-54 to 10-27-55; 5 percent of the total number of factory production workers for normal labor turnover purposes in the production of men's woven shorts only (men's woven shorts).

Reidler Knitting Mills, Inc., Hazleton, Pa., effective 11-24-54 to 11-23-55; 5 percent of the total number of factory production workers for normal labor turnover purposes (cotton knit underwear).

Seamprufe, Inc., The William Caplin Plant, Holdenville, Okla., effective 11-1-54 to 4-30-55; 25 learners for plant expansion purposes (slips and lingerie).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14)

The David Calvin Co., LeRaysville, Pa., effective 11-1-54 to 4-30-55; 2 learners; sewing machine operating, 240 hours, at least 65 cents an hour for the first 120 hours and at least 70 cents an hour for the remaining 120 hours (menu covers).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 3d day of November 1954.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 54-10198; Filed, Dec. 23, 1954; 8:46 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provision of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended July 5, 1954, 19 F R. 3326)

Legion Dress Co., Main and Paxton Streets, Centralia, Pa., effective 11-15-54 to 11-14-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' dresses).

Linden Apparel Corp., Linden, Tenn., effective 11-23-54 to 11-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dungarees).

Mode O'Day Corp., 840 Twelfth Street NW., Mason City, Iowa, effective 11-9-54 to 11-8-55; 10 learners for normal labor turnover (ladies' lingerie).

Monticello Manufacturing Co., Monticello, Miss., effective 11-24-54 to 11-23-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's cotton work trousers).

Newport News Children's Dress Co., 824 South Thirty-ninth Street, Newport News, Va., effective 11-17-54 to 11-16-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's dresses and play suits).

R S & R Shirt Co., 301 Taylor Street, Corinth, Miss., effective 11-10-54 to 5-9-55; 40 learners for plant expansion purposes (ladies' and men's sport shirts).

R S & R Shirt Co., 301 Taylor Street, Corinth, Miss., effective 11-10-54 to 11-9-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and men's sport shirts).

Terre Hill Manufacturing Co., Inc., Blue Ball, Pa., effective 11-10-54 to 11-9-55; 10 percent of the total number of factory production workers engaged in the production of slips and night gowns of woven fabrics for normal labor turnover purposes (ladies' and children's slips and nightgowns).

Cigar Industry Learner Regulations (29 CFR 522.201 to 522.211, as amended October 27, 1952, 17 F. R. 8633)

H. N. Heusner & Son; Inc., 228-30 High Street, Hanover, Pa., effective 11-16-54 to 11-15-55; 10 percent of the number of factory workers in each occupation listed below, for normal labor turnover purposes; cigar machine operating, 320 hours at 65 cents an hour; cigar packing, cigars retailing for 6 cents or less, 160 hours at 65 cents an hour; machine stripping, 160 hours at 65 cents an hour.

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952, 16 F. R. 12866)

Terre Hill Manufacturing Co., Inc., Blue Ball, Pa., effective 11-10-54 to 11-9-55; 5 percent of the total number of factory production workers engaged in the production of slips and nightgowns of knitted fabrics for normal labor turnover purposes (ladies' and children's slips and nightgowns).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260, as amended March 17, 1952, 17 F. R. 1500)

Casey Manufacturing Co., East Main, Casey, Ill., effective 11-13-54 to 11-12-55; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Ettelbrick Shoe Co., Sole Department, Casey, Ill., effective 11-13-54 to 11-12-55; 5 learners for normal labor turnover purposes.

Greenup Manufacturing Co., Greenup, Ill., effective 11-13-54 to 11-12-55; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Town and Country Shoes, Inc., 110 North Missouri, Sedalia, Mo., effective 11-12-54 to 11-11-55; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Town and Country Shoes, Inc., Odessa, Mo., effective 11-12-54 to 11-11-55; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Town and Country Shoes, Inc., Warrensburg, Mo., effective 11-12-54 to 11-11-55; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D.C., this 15th day of November 1954.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 54-10193; Filed, Dec. 23, 1954; 8:46 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued

thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning period for certificates issued under the general learner regulations (§§ 522.1 and 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended July 5, 1954, 19 F R. 3326)

Allen Garment Co., 706 Nineteenth Avenue, Nashville, Tenn., effective 11-26-54 to 11-25-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

B. Bennett Co., Inc., 123 Magazine Street, New Orleans, La., effective 11-24-54 to 11-23-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (work pants).

Blakely Manufacturing Corp., Warrick Building, Blakely, Ga., effective 11-26-54 to 5-25-55; 38 learners for plant expansion purposes (washable service garments).

Blue Ridge Manufacturers, Inc., Christiansburg, Va., effective 11-23-54 to 11-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' dungarees).

Burlington Manufacturing Co., 111 West Third Street, Chanute, Kans., effective 12-6-54 to 12-5-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (overalls, jackets).

Calloway Manufacturing Co., Murray, Ky., effective 12-10-54 to 12-9-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's work trousers, etc.).

Cluett, Peabody & Co. Inc., Fleetwood, Pa., effective 12-13-54 to 12-12-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (Boys' dress and sport shirts).

Cowden Manufacturing Co., 120-22 South Bank Street, Mt. Sterling, Ky.; effective 12-1-54 to 5-31-55; 25 learners for plant expansion purposes (Denim overall jackets and cotton work suits).

Dale Manufacturing Corp., Dadeville, Ala., effective 11-27-54 to 5-26-55; 25 learners for expansion purposes (sport shirts).

Dale Manufacturing Corp., Dadeville, Ala., effective 11-27-54 to 11-26-55; 10 learners for normal labor turnover purposes (sport shirts).

Dury Clothing Co., Inc., 330 Philadelphia Avenue, West Pittston, Pa., effective 11-29-54 to 11-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's trousers).

Fields Manufacturing Co., 248 Oconee Street, Athens, Ga., effective 11-29-54 to 11-28-55; 10 learners for normal labor turnover purposes (men's and boys' sport shirts and work pants).

Florence Manufacturing Co. Inc., Florence, S. C., effective 11-29-54 to 11-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Centralia, Ill., effective 11-23-54 to 11-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Collinsville, Ill., effective 12-5-54 to 12-4-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Coulterville, Ill., effective 11-23-54 to 11-22-55; 10 learners for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Du Quoin, Ill., effective 11-23-54 to 11-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Freeburg, Ill., effective 11-23-54 to 11-22-55; 10 learners for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Mascoutah, Ill., effective 11-23-54 to 11-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Pinckneyville, Ill., effective 11-23-54 to 11-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Wayne City, Ill., effective 11-23-54 to 11-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., Ziegler, Ill., effective 11-23-54 to 11-22-55; 10 learners for normal labor turnover purposes (dresses).

Forest City Manufacturing Co., 1641 Washington Avenue, St. Louis, Mo., effective 11-23-54 to 11-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

J. Freezer & Son, Inc., Floyd, Va., effective 12-14-54 to 12-13-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dress and sport shirts).

Greenville Manufacturing Co., Hillsboro Street Extension, Oxford, N. C., effective 11-24-54 to 11-23-55; 10 learners for normal labor turnover purposes (cotton and rayon sportswear).

Harrisville Garment Corp., Harrisville, W. Va., effective 11-24-54 to 11-23-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's and children's cotton blouses).

The Juvenile Manufacturing Co. Inc., 327 North Flores Street, San Antonio, Tex., effective 11-26-54 to 11-25-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (learners are not authorized to be employed at subminimum wage rates in the production of coat suits and topcoats.) (children's outerwear).

R. Lowenbaum Manufacturing Co., 100 South Minnesota Street, Cape Girardeau, Mo., effective 12-5-54 to 12-4-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (junior dresses).

Macon Garment Co., Inc., Macon, Miss., effective 12-9-54 to 12-8-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pants).

Mayflower Manufacturing Co., Inc., 460-506 North Main Avenue, Scranton, Pa., effective 12-12-54 to 12-11-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (trousers).

Modelrite Dress Co., 147 Chestnut Street, Dunmore, Pa., effective 11-24-54 to 11-23-55; 10 learners for normal labor turnover purposes (women's dresses).

Oberman Manufacturing Co., South Marcus Street, Wrightsville, Ga., effective 11-26-54 to 11-25-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's slacks).

Oberman Manufacturing Co., Fayettoville, Ark., effective 11-30-54 to 11-29-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pants and shirts).

Oberman Manufacturing Co., Harrison, Ark., effective 11-29-54 to 11-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pants).

Reliance Manufacturing Co., Magnolia Factory, Laurel, Miss., effective 12-1-54 to 11-30-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' sport shirts).

Salant and Salant, Inc., Henderson, Tenn., effective 12-13-54 to 12-12-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work shirts).

Samsons, Inc., 525 East Fifth Street, Washington, N. C., effective 12-10-54 to 12-9-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (sport shirts).

Sunnyvale, Inc., 3 South Webster Avenue, Scranton 5, Pa., effective 11-29-54 to 11-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

The Turner Manufacturing Co., West Cedar Street, Goodlettsville, Tenn., effective 11-26-54 to 5-25-55; 50 learners for expansion purposes (trousers).

Warsaw Manufacturing Co., Warsaw, N. C., effective 11-29-54 to 5-28-55; 10 learners for plant expansion purposes (dresses).

Warsaw Manufacturing Co., Warsaw, N. C., effective 11-29-54 to 11-28-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dresses).

Wildwood Clothing Co., Inc., 112 East Schellenger Avenue, Wildwood, N. J., effective 12-8-54 to 12-7-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's pants).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended July 13, 1953, 18 F R. 3292)

The Boss Manufacturing Co., Chillicothe, Mo., effective 11-29-54 to 11-28-55; 10 percent of the total number of machine stitchers, for normal labor turnover purposes (work gloves).

Knitted Wear Industry Learner Regulations (29 CFR 522.68 to 522.79, as amended January 21, 1952, 16 F R. 12866)

Midland Mills of North Carolina, Inc., Midland, N. C., effective 11-26-54 to 5-25-55; 20 learners for plant expansion purposes (infants' and children's knitted outerwear).

Union Underwear Co., Inc., Frankfort, Ky., effective 12-11-54 to 12-10-55; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' shorts).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates.

Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 29th day of November 1954.

MILTON BROOKE,
Authorized Representative of the Administrator

[F. R. Doc. 54-10200; Filed, Dec. 23, 1954; 8:46 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provision of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 and 522.14) are as indicated below' conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.168, as amended July 5, 1954, 19 F. R. 3326)

Associated Garment Co., Shelbyville, Ill., effective 11-22-54 to 11-21-55; 10 learners for normal labor turnover purposes (junior and women's dresses).

Associated Garment Co., Pana, Ill., effective 11-22-54 to 11-21-55; 10 learners for normal labor turnover purposes (junior and women's dresses).

Colshire Manufacturing Co., Morgantown, W. Va., effective 11-22-54 to 11-21-55; 10 learners for normal labor turnover purposes (men's pajamas).

Colshire Manufacturing Co., Morgantown, W. Va., effective 11-22-54 to 5-21-55; 25 learners for plant expansion purposes (men's pajamas).

Cowden Manufacturing Co., 112 Hamilton Avenue, Lancaster, Ky.; effective 11-28-54 to 11-27-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (denim bib overalls).

Day's Tailor-d Clothing, Inc., Twenty-ninth and Pacific Avenue, Tacoma, Wash., effective 11-26-54 to 11-25-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's trousers).

Dunhill Shirt Co., El Dorado Springs, Mo., effective 11-22-54 to 5-21-55; 15 learners for plant expansion purposes (men's shirts).

Eagle Bros., Mahanoy City, Pa., effective 11-23-54 to 11-22-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (dress and sport shirts).

Fayetteville Shirt Co., Garland, N. C., effective 11-18-54 to 5-17-55; 50 learners for plant expansion purposes (shirts).

Industial Garment Manufacturing Co., Caroline Street, Erwin, Tenn., effective 12-1-54 to 11-30-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's cotton work clothes).

The H. D. Lee Co., Inc., 409 East Madison, South Bend, Ind., effective 11-28-54 to 11-27-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's work clothing).

Samuel Meltzer, d. b. a. The Liberty Co., Dyer, Tenn., effective 11-16-54 to 11-15-55; 10 learners for normal labor turnover purposes (men's and boys' pajamas).

Madison Apparel Co., Inc., 296 Madison Street, Wilkes-Barre, Pa., effective 11-16-54 to 11-15-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's apparel).

Marion Dress Co., 625 George Street, Throop, Pa., effective 11-22-54 to 11-21-55; 5 learners for normal labor turnover purposes (blouses).

Marion Dress Co., 1108 Myers Avenue, Peckville, Pa., effective 11-22-54 to 11-21-55; 6 learners for normal labor turnover purposes (blouses).

Princess Ann Sportswear, 703 West Church Street, Orlando, Fla., effective 11-22-54 to 11-21-55; 3 learners for normal labor turnover purposes (dresses).

Princess Peggy, Inc., Items Division, Belleville, Ill., effective 12-7-54 to 12-6-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's cotton dresses).

Reliance Manufacturing Co., Plantation Factory, Montgomery, Ala., effective 11-16-54 to 5-15-55; 65 learners for plant expansion purposes (men's and boys' dungarees).

J. H. Rutter-Rex Manufacturing Co., Inc., Franklinton, La., effective 11-15-54 to 11-14-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (cotton work pants).

Sanford Manufacturers, Inc., 400 Sanford Avenue, Sanford, Fla., effective 11-16-54 to 11-15-55; 6 learners for normal labor turnover purposes (men's and boys' shirts and pajamas).

Standard Garments, Inc., Martinsville, Va., effective 11-22-54 to 11-21-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' pants and jackets).

Vernon Manufacturing Co., Inc., Vernon, Tex., effective 11-10-54 to 4-10-55; 25 learners for plant expansion purposes; supplemental certificate (men's and boys' cotton trousers).

Walterboro Manufacturing Corp., Walterboro, S. C., effective 11-18-54 to 11-17-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (ladies' cotton wash dresses).

Wentworth Manufacturing Co., 148 East Darlington Street, Florence, S. C., effective 11-17-54 to 5-16-55; 50 learners for expansion purposes (women's cotton house dresses).

Wentworth Manufacturing Co., 148 East Darlington Street, Florence, S. C., effective 11-17-54 to 11-16-55; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's cotton house dresses).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.46, as amended May 3, 1954, 19 F. R. 1761).

Grayson-Millis Hosiery Mills, Inc., Independence, Va., effective 11-17-54 to 11-16-55; 5 percent of the total number of factory production workers for normal labor turnover purposes (full-fashioned).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended July 13, 1953, 18 F. R. 3292)

North Star Glove Co., Tacoma, Wash., effective 11-21-54 to 11-20-55; 6 learners for normal labor turnover purposes (canvas and leather-faced canvas gloves).

Western Glove Co., Orting, Wash., effective 11-21-54 to 11-20-55; 6 learners for normal labor turnover purposes (canvas and leather-faced canvas gloves).

Shoe Industry Learner Regulations (29 CFR 522.250 to 522.260, as amended March 17, 1952, 17 F. R. 1500)

The Muskin Shoe Co., Pine Street, Millersburg, Pa., effective 11-22-54 to 11-21-55; 10 percent of the total number of factory production workers for normal labor turnover purposes.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14)

The following special learner certificates were issued in Puerto Rico and the Virgin Islands to the companies hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning period and the learner wage rates are indicated, respectively.

Hilmar Corp., 357 Virtud Street, Arecibo, P. R., effective 11-8-54 to 5-7-55; to employ not in excess of 10 persons as learners in any one work day in accordance with the following items: sewing machine operators, 240 hours at 45 cents an hour and 240 hours at 50 cents an hour; pressing, hand sewing and finishing operations involving hand sewing, 240 hours at 40 cents an hour and 240 hours at 45 cents an hour (brasieres).

Virgin Islands Jewelry Manufacturing Corp., St. Thomas, V. I., effective 11-3-54 to 5-2-55; to employ not in excess of 75 persons as learners in any one work day in accordance with the following items: soldering, stone setting, lay out, all at 160 hours at 30 cents an hour (costume jewelry).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 22d day of November 1954.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 54-10201; Filed, Dec. 23, 1954; 8:47 a. m.]

Wage and Hour and Public Contracts Divisions

Employment of Handicapped Clients by Sheltered Workshops

Issuance of Special Certificates

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214; as amended, 63 Stat. 910) and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525) and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201.1102)

The names and addresses of the sheltered workshops, wage rates and the effective and expiration dates of the certificates are set forth below. In each case, the wage rates are established at rates not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or at wage rates stipulated in the certificate, whichever is higher.

Goodwill Industries of New York, Inc., 123 East 124th Street, New York, N. Y., at a rate of not less than 35 cents an hour. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Goodwill Industries of New York, Inc., 317–325 East 118th Street, New York, N. Y., at a rate of not less than 35 cents an hour. Certificate is effective November 1, 1954, and expires on October 31, 1955.

The Nassau County Branch of the Goodwill Industries of New York, Inc., Greenvale, Long Island, N. Y., at a rate of not less than 35 cents an hour. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Buffalo Association for the Blind, 864 Delaware Avenue, Buffalo 9, N. Y., at a rate of 20 cents an hour for a training period of 80 hours and 30 cents an hour thereafter. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Buffalo Association for the Blind, 180 Goodall Street, Buffalo, N. Y., at a rate of not less than 20 cents an hour for a training period of 80 hours and 30 cents an hour thereafter. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Volunteers of America, 724 East Diamond Street, Pittsburgh, Pa., at a rate of not less than 57 cents on hour. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Washington County Branch, Pennsylvania Association for the Blind, Inc., 254 North Main Street, Washington, Pa., at a rate of not less than 50 cents an hour. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Mississippi Industries for the Blind, 2501 North West Street, Jackson, Miss., at a rate of not less than 50 cents per hour. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Cleveland Society for the Blind, 2275 East 55th Street, Cleveland, Ohio; at a rate of not less than 25 cents per hour in the Contract Shop and 40 cents per hour in the Sewing and Broom Departments. Certificate is effective November 4, 1954, and expires on October 31, 1955.

The Montefiore Home, 3151 Mayfield Road, Cleveland Heights, Ohio; at a rate of not less than 5 cents per hour for a training period of 80 hours and 8 cents per hour thereafter. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Cleveland Rehabilitation Center, 2239 East 55th Street, Cleveland, Ohio; at a rate of not less than 2 cents per hour for a training period of 160 hours and 10 cents per hour thereafter. Certificate is effective November 26, 1954, and expires on October 31, 1955.

Goodwill Industries of Jackson, Inc., 120 East Washington, Jackson, Mich., at a rate of not less than 50 cents per hour. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Marion County Society for Crippled Children and Adults, Inc., 3001 North New Jersey Street, Indianapolis 5, Ind., at a rate of not less than 25 cents per hour in the Assembling, Sorting and Stuffing Department; 50 cents per hour for a training period of 160 hours and 60 cents per hour thereafter in the Typing, Mimeographing, Alphabetizing and Multigraphing Department; 50 cents per hour for a training period of 160 hours and 60 cents per hour thereafter in other Contract Work. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Goodwill Industries of Chicago & Cook County, Illinois, 1500 West Monroe Street, Chicago 7, Ill., at a rate of not less than 40 cents per hour for a training period of 160 hours and 50 cents thereafter. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Indianapolis Goodwill Industries, Inc., 215 South Senate Avenue, Indianapolis 25, Ind., at a rate of not less than 45 cents per hour for a training period of 160 hours and 50 cents thereafter in the Shoe Department; 10 cents per hour in the Pre-Vocational Training Department; 50 cents per hour for a training period of 160 hours and 55 cents thereafter in Other Departments. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Goodwill Industries of Fort Wayne, Inc., 112 East Columbia Street, Fort Wayne, Ind., at a rate of not less than 40 cents per hour for a training period of 160 hours and 50 cents thereafter. Certificate is effective November 1, 1954, and expires on October 31, 1955.

The Chicago Lighthouse for the Blind, 3323 West Cermak Road, Chicago 23, Ill., at a wage rate of not less than 30 cents an hour for a training period of 160 hours and 40 cents per hour thereafter. Certificate is effective December 1, 1954, and expires on November 30, 1955.

Handcraft Industries, Inc., 4060 Clinton Street, Los Angeles 4, Calif., at a rate of not less than 50 cents an hour. Certificate is effective December 1, 1954 and expires on November 30, 1955.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the Federal Register.

Signed at Washington, D. C., this 3d day of December 1954.

Jacob I. Bellow,
Assistant Chief of Field Operations.

[F. R. Doc. 54-10214; Filed, Dec. 23, 1954; 8:50 a. m.]

Employment of Handicapped Clients by Sheltered Workshops

Issuance of Special Certificates

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214; as amended 63 Stat. 910) and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525), and under section 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201, 1102)

The names and addresses of the sheltered workshops, wage rates and the effective and expiration dates of the certificates are set forth below. In each

case, the wage rates are established at rates not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or at wage rates stipulated in the certificate, whichever is higher.

Sheltered Shop—Rehabilitation Center for the Physically Handicapped, Inc., 20 Wall Street, Stamford, Conn., at a rate of not less than 5 cents per hour for a training period of 40 hours and 15 cents thereafter. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Springfield Goodwill Industries, Inc., 139 Lyman Street, Springfield, Mass., at a rate of not less than 25 cents per hour for a training period of 40 hours and 50 cents per hour thereafter. Certificate is effective October 1, 1954, and expires on September 30, 1955.

Federation of the Handicapped, Inc., 211 West 14 Street, New York 11, N. Y., at a rate of not less than 40 cents per hour. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Occupational Center of Essex County, Inc., 491 Valley Street, Maplewood, N. J., at a rate of not less than 10 cents per hour. Certificate is effective October 11, 1954, and expires on March 31, 1955.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, Veterans' Camp, Mount McGregor, N. Y., at a rate of not less than 10 cents per hour for a training period of 80 hours and 15 cents per hour thereafter. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, Home for Disabled Soldiers, Menlo Park, N. J., at a rate of not less than 10 cents per hour for a training period of 80 hours and 15 cents per hour thereafter. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Veterans of Foreign Wars of the United States, Buddy Poppy Department, New Jersey Memorial Home, Vineland, N. J., at a rate of not less than 10 cents per hour for a training period of 80 hours and 15 cents per hour thereafter. Certificate is effective November 1, 1954, and expires on October 31, 1955.

The Baltimore League for Crippled Children & Adults, Inc., 827 St. Paul Street, Baltimore, Md., at a rate of not less than 20 cents per hour for a training period of 120 hours and 40 cents per hour thereafter. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Goodwill Industries of Wilmington, Inc., 214–216 Walnut Street, Wilmington, Del., at a rate of not less than 25 cents per hour for a training period of 120 hours and 45 cents per hour thereafter. Certificate is effective November 1, 1954, and expires on October 31, 1955.

The Volunteers of America, Room 1208, 1211 Chestnut Street, Philadelphia 7, Pa., at a rate of not less than 40 cents per hour. Certificate is effective November 1, 1954, and expires on October 31, 1955.

The Lott Day School, 255 Heffner at Kelsey, Toledo 5, Ohio; at a rate of not less than 10 cents per hour. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Flint Goodwill Industries, Inc., 2410 North Saginaw Street, Flint, Mich., at a rate of not less than 25 cents per hour for a training period of 40 hours and 35 cents per hour thereafter. Certificate is effective October 1, 1954, and expires on September 30, 1955.

The Volunteers of America, 823 South Jefferson Avenue, Peoria 6, Ill., at a rate of not less than 50 cents per hour. Certificate is effective October 1, 1954, and expires on September 30, 1955.

Gary Goodwill Industries, Inc., 1224 Broadway, Gary, Ind., at a rate of not less than 50 cents per hour. Certificate is effective November 1, 1954, and expires on October 31, 1955.

The Volunteers of America, 320 North Illinois Street, Indianapolis, Ind., at a rate of not less than 35 cents per hour. Certificate is effective November 1, 1954, and expires on October 31, 1955.

Dallas County Association for the Blind, 2729 Hatcher Street, Dallas, Tex., at a rate of not less than 25 cents per hour for a training perior of 160 hours and 40 cents thereafter. Certificate is effective October 1, 1954, and expires on September 30, 1955.

Disabled Employee's Rehabilitation, Inc., 220 Commercial Street, San Francisco, Calif., at a rate of 3 cents per hour in the Cerebral Palsy Division, a rate of 10 cents per hour in the Severely Disabled Division, a rate of 25 cents per hour in the Training Division. Certificate is effective October 11, 1954, and expires on October 15, 1955.

Upper East Tennessee Workshop for the Blind, Inc., 600 East Maple Street, Johnson City, Tenn., at a rate of not less than 40 cents per hour for a training period of 320 hours and 50 cents per hour thereafter. Certificate is effective November 1, 1954, and expires on October 31, 1955.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A Charitable Organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 2d day of November 1954.

JACOB I. BELLOW,
Assistant Chief of Field Operations.

[F. R. Doc. 54-10219; Filed, Dec. 23, 1954; 8:51 a. m.]

THE RENEGOTIATION BOARD

STATEMENT OF ORGANIZATION

MISCELLANEOUS AMENDMENTS

The Statement of Organization published in the issue of February 13, 1952 (F. R. Doc. 52-1774, 17 F R. 1400) as heretofore amended, is hereby further amended as follows:

1. Section 1 is amended by inserting after the first sentence thereof a new sentence to read as follows: "Said act was amended and extended by Pub. Law 764, 83d Cong., approved September 1, 1954."

2. Section 3 (b) is deleted in its entirety and the following is inserted in lieu thereof:

(b) The Board maintains five regional boards with authority to conduct renegotiation proceedings in cases assigned to them. Each of the regional boards is composed of a chairman and additional board members as appointed by the Board. After the Board determines that a contractor should be assigned for renegotiation, the case is assigned to a regional board selected according to its proximity, its relative workload, and its experience and special skills. The locations of the regional boards are as follows:

(1) Boston Regional Renegotiation Board, 140 Federal Street, Boston 10, Mass.

(2) Chicago Regional Renegotiation Board, 219 South Clark Street, Chicago 4, Ill.

(3) Detroit Regional Renegotiation Board, David Broderick Tower Building, 10 Witherell Street, Detroit 26, Mich.

(4) Los Angeles Regional Renegotiation Board, 5504 Hollywood Boulevard, Los Angeles 28, Calif.

(5) New York Regional Renegotiation Board, 110 East 45th Street, New York 17, New York.

3. In section 4 (a) the last sentence is deleted in its entirety and the following is inserted in lieu thereof: "Various additional agencies have been designated by the President in Executive Orders 10260, June 27, 1951 (16 F. R. 6271) 10294, September 28, 1951 (16 F. R. 9927) 10299, October 31, 1951 (16 F R. 11135), 10369, June 30, 1952 (17 F. R. 5932), and 10567, October 2, 1954 (19 F R. 6361)."

4. In section 4 (c), the figure "$400,000" is deleted and the figure "$800,000" is inserted in lieu thereof.

5. In section 4 (e), the words "Bureau of Internal Revenue" are deleted from the first sentence and the words "Internal Revenue Service" are inserted in lieu thereof.

Dated: December 21, 1954.

FRANK L. ROBERTS,
Chairman.

[F. R. Doc. 54-10221; Filed, Dec. 23, 1954; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service and Commodity Credit Corporation

GRAINS AND RELATED COMMODITIES

NOTICE OF FINAL DATE FOR REDEMPTION UNDER WAREHOUSE-STORAGE LOANS MADE UNDER 1954 PRICE SUPPORT PROGRAMS

Unless earlier demand is made by CCC, warehouse-storage loans under 1954 Price Support Programs on the agricultural commodities designated in the table below mature and are due and payable on the dates indicated. Unless such loans are repaid on or before the final date for repayment specified below, or the producer notifies in writing either the ASC county committee or the CSS commodity office serving the area that the funds have been placed in the mail, CCC will purchase the commodities pursuant to the provisions of the note and loan agreement at the higher of (1) the amount of the loan plus interest and charges or (2) the market value as determined by the appropriate CSS commodity office as of the close of the market on the final date for repayment. In the event such market value is in excess of the loan value plus interest and charges, the excess amount will be paid to the producer by the appropriate CSS commodity office.

Notwithstanding the foregoing provisions, if there has been fraudulent representation by the producer in obtaining the loan, the purchase price applicable to such purchase by CCC shall be the market value only.

Commodity	Maturity date	Final date for repayment
Barley, in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia	Feb. 28, 1955	Feb. 28, 1955
In all other States	Apr. 30, 1955	May 2, 1955
Corn	July 31, 1955	Aug. 1, 1955
Dry edible beans in Michigan, Pennsylvania, and New York	Feb. 28, 1955	Feb. 28, 1955
In all other States	Apr. 30, 1955	May 2, 1955
Flaxseed in Arizona and California	Jan. 31, 1955	Jan. 31, 1955
In all other States	Apr. 30, 1955	May 2, 1955
Grain sorghums	Mar. 31, 1955	Mar. 31, 1955
Oats in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia	Feb. 28, 1955	Feb. 28, 1955
In all other States	Apr. 30, 1955	May 2, 1955
Rice in Arizona and California	Apr. 30, 1955	May 2, 1955
In all other States	Feb. 28, 1955	Feb. 28, 1955
Rye in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia	Feb. 28, 1955	Feb. 28, 1955
In all other States	Apr. 30, 1955	May 2, 1955
Soybeans	May 31, 1955	May 31, 1955
Wheat in Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia	Feb. 28, 1955	Feb. 28, 1955
In all other States	Mar. 31, 1955	Mar. 31, 1955

The CSS commodity offices and the areas served by them are shown below:

Chicago 5, Illinois, 623 South Wabash Avenue: Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.

Dallas 26, Texas, 3306 Main Street: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.

Kansas City 6, Missouri, 911 Walnut Street: Colorado, Kansas, Missouri, Nebraska, Wyoming.

Minneapolis 8, Minnesota, 1006 West Lake Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Portland 5, Oregon, 515 Southwest Tenth Avenue: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

(Sec. 4, 62 Stat. 1070 as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1031; 15 U. S. C. 714c, 7 U. S. C. 1441, 1447, 1421)

Done at Washington, D. C. this 21st day of December 1954.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-10229; Filed, Dec. 23, 1954; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3328]

MISSOURI POWER & LIGHT CO. AND MISSOURI EDISON CO.

NOTICE OF FILING OF APPLICATION REGARDING ACQUISITION OF ELECTRIC TRANSMISSION LINE AND CERTAIN SUBSTATION AND PROTECTIVE EQUIPMENT

DECEMBER 17, 1954.

Notice is hereby given that Missouri Power & Light Company ("Missouri Power") and Missouri Edison Company ("Missouri Edison") public utility subsidiaries of Union Electric Company of Missouri, a registered holding company and a subsidiary of The North American Company, a registered holding company, have filed a joint application with this Commission pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("act") Applicants have designated sections 9 (a) and 10 of the act as applicable to said application.

All interested persons are referred to said application, which is on file in the offices of the Commission, for a statement of the transactions proposed therein, which are summarized as follows:

Missouri Power and Missouri Edison propose to acquire from Northeast Missouri Electric Power Cooperative ("Cooperative") a 69 kv three phase single circuit wood pole transmission line, approximately 26.7 miles in length, traversing the service areas of Missouri Power and Missouri Edison in Ralls and Pike Counties, Missouri, and Missouri Edison also proposes to acquire from the Cooperative certain substation and protective equipment located at or near the Cooperative's present Louisiana substation located on property of Hercules Powder Company near Louisiana, Missouri, all in accordance with and subject to the terms of an agreement between the applicants and the Cooperative.

The aggregate price to be paid for the transmission line is $183,972.49, of which $66,047.78 is to be paid by Missouri Power and $117,924.71 by Missouri Edison. The price to be paid by Missouri Edison for the substation and protective equipment is $20,001.20. Such prices are represented to be equivalent to the actual cost of such facilities to the Cooperative, and the division between the applicants of the price of the transmission line is stated to be based on actual construction cost of such line in their respective service areas.

The filing states that the Cooperative accrues depreciation on all of its depreciable property at the composite rate of 2.54 percent per annum, and applicants estimate that the portion of such composite accruals applicable to the specific property to be acquired is $14,576.56, of which $4,540.65 applies to the property to be acquired by Missouri Power and $10,035.91 to the property to be acquired by Missouri Edison.

Applicants represent that the transmission line will serve as an additional tie between their systems for the supply of electric energy by Missouri Power to Missouri Edison and will furnish much needed reinforcement of the power supply for Missouri Edison's service in and around Louisiana, Missouri.

Applicants state that no State commission and no Federal regulatory agency, other than this Commission, has jurisdiction over the proposed transaction, although the consent of the Rural Electrification Administration to the sale of the facilities by the Cooperative is required.

Notice is further given that any interested person may, not later than January 6, 1955, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held in respect of the matters contained in said application, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, which he desires to controvert, or he may request to be notified if the Commission should order a hearing thereon. Any such request shall bear the caption of this notice and shall be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after January 6, 1955, such application may be granted, as provided in Rule U-23 of the rules and

regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54-10202; Filed, Dec. 23, 1954; 8:47 a. m.]

[File No. 811-35]

INVESTORS MANAGEMENT FUND, INC.

NOTICE OF MOTION TO TERMINATE REGISTRATION

DECEMBER 20, 1954.

Notice is hereby given that the Securities and Exchange Commission ("Commission") on its own motion, is proposing to declare by order, pursuant to section 8 (f) of the Investment Company Act of 1940 ("act") that Investors Management Fund, Inc. ("IM") a registered, management, open-end, diversified investment company, has ceased to be an investment company.

The Commission files reflect that IM, a Delaware corporation, has been dissolved, as of March 31, 1954, under the laws of the State of Delaware. Such dissolution was effected pursuant to a resolution adopted by its Board of Directors and upon the affirmative vote of its stockholders as required by the laws of Delaware. Prior to such dissolution the stockholders of IM had approved a reorganization plan, effective as of March 31, 1954, pursuant to which such stockholders were to receive shares of stock of Fundamental Investors, Inc., a registered, management, open-end, diversified investment company having the same net asset value as the stock of IM held by such stockholders.

All interested persons are referred to Docket No. 811-35 in the files of the Commission which contains evidence of the facts above recited.

Notice is further given that any interested person may, not later than December 30, 1954, at 12:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the Commission may, acting upon its own motion, declare that Investors Management Fund, Inc., has ceased to be an investment company by order as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 54-10203; Filed, Dec. 23, 1954; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30038]

ALUMINUM FROM GREGORY AND POINT COMFORT, TEX. TO LISTERHILL, ALA.

APPLICATION FOR RELIEF

DECEMBER 21, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3967.

Commodities involved: Aluminum billets, blooms, ingots, pigs or slabs, carloads.

From: Gregory and Point Comfort, Tex.

To: Listerhill, Ala.

Grounds for relief: Competition with water carriers.

Schedules filed containing proposed rates: Agent Kratzmeir's I. C. C. No. 3967, supp. No. 418.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-10206; Filed, Dec. 23, 1954; 8:48 a. m.]

[4th Sec. Application 30040]

SODA ASH FROM MICHIGAN AND OHIO TO ST. LOUIS, MO. AND POINTS IN ILL.

APPLICATION FOR RELIEF

DECEMBER 21, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the aggregate-of-intermediates provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for carriers parties to his tariff I. C. C. No. 4622.

Commodities involved: Soda ash (other than modified soda ash), carloads.

From: Points in Michigan and Ohio.

To: St. Louis, Mo., East St. Louis, Wood River, and Alton, Ill.

Grounds for relief: Competition with rail carriers, circuitous routes, and market competition.

Schedules filed containing proposed rates: AC&Y Railroad Tariff I. C. C. No. 451, supplement No. 34; B&O Railroad Tariff I. C. C. No. 24244, supplement No. 15; Erie Railroad Tariff I. C. C. No. A-7805, supplement No. 59; NYC Railroad Tariff I. C. C. No. 1123, supplement No. 279; NYC&St.L. Railroad Tariff I. C. C. No. 6170, supplement No. 160; PRR Railroad Tariff I. C. C. No. 3305, supplement No. 83; C&O Railroad Tariff I. C. C. No. 13168, supplement No. 205; D&TSL Railroad Tariff I. C. C. No. 1342, supplement No. 19;[1] DT&I Railroad Tariff I. C. C. No. 757, supplement No. 24; GTW Railroad Tariff I. C. C. No. A-43, supplement No. 64; Wabash Railroad Tariff I. C. C. No. 7600, supplement No. 173.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD, *Secretary.*

[F. R. Doc. 54-10203; Filed, Dec. 23, 1954; 8:48 a. m.]

[4th Sec. Application 30041]

COTTON BALE TIES FROM ATLANTA, GA., TO GALVESTON AND HOUSTON, TEX.

APPLICATION FOR RELIEF

DECEMBER 21, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 4115.

Commodities involved: Cotton bale ties and buckles, straight or mixed carloads.

From: Atlanta, Ga.

To: Galveston and Houston, Texas.

Grounds for relief: Competition with water-rail carriers, and market competition.

Schedules filed containing proposed rates: Agent Kratzmeir's I. C. C. No. 4115, supp. No. 29.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by

[1] Effective January 25, 1955.

the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54-10209; Filed, Dec. 23, 1954; 8:49 a. m.]

[4th Sec. Application 30042]

SODA ASH FROM SALTVILLE, VA., TO PORT WENTWORTH AND SAVANNAH, GA.

APPLICATION FOR RELIEF

DECEMBER 21, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for Norfolk and Western Railway Company and other carriers.

Commodities involved: Soda ash (other than modified soda ash) carloads.

From: Saltville, Va.

To: Port Wentworth and Savannah, Ga.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: Agent C. A. Spaninger's tariff I. C. C. No. 1251, supp. No. 105.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54-10210; Filed, Dec. 23, 1954; 8:49 a. m.]

[4th Sec. Application 30039]

SODA ASH FROM MICHIGAN AND OHIO TO ST. LOUIS, MO., AND POINTS IN ILLINOIS

APPLICATION FOR RELIEF

DECEMBER 21, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for carriers parties to his tariff I. C. C. No. 4622.

Commodities involved: Soda ash (other than modified soda ash), carloads.

From: Points in Michigan and Ohio.

To: St. Louis, Mo., East St. Louis, Wood River, and Alton, Ill.

Grounds for relief: Competition with rail carriers, circuitous routes, and market competition.

Schedules filed containing proposed rates: AC&Y Railroad Tariff I. C. C. No. 451, supplement No. 34; B&O Railroad Tariff I. C. C. No. 24244, supplement No. 15; Erie Railroad Tariff I. C. C. No. A-7805, supplement No. 59; NYC Railroad Tariff I. C. C. No. 1123, supplement No. 279; NYC&StL Railroad Tariff I. C. C. No. 6170, supplement No. 160; P RR Railroad Tariff I. C. C. No. 3305, supplement No. 83; C&O Railroad Tariff I. C. C. No. 13168, supplement No. 205; D&TSL Railroad Tariff I. C. C. No. 1342, supplement No. 19;[1] DT&I Railroad Tariff I. C. C. No. 757, supplement No. 24, CTW Railroad Tariff I. C. C. No. A-43, supplement No. 64; Wabash Railroad Tariff I. C. C. No. 7600, supplement No. 173.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W LAIRD, *Secretary.*

[F. R. Doc. 54-10207; Filed, Dec. 23, 1954; 8:48 a. m.]

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[1] Effective January 25, 1955.